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PROCEEDINGS AND DEBATES OF THE 106th CONGRESS, FIRST SESSION

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House of Representatives

The House met at 10 a.m. and was called to order by the Speaker pro tempore (Mr. KOLBE).

DESIGNATION OF THE SPEAKER PRO TEMPORE

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

WASHINGTON, DC,
August 5, 1999.

I hereby appoint the Honorable JIM KOLBE to act as Speaker pro tempore on this day.

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

PRAYER

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

We are grateful, O God, that You have created us with opportunities to be the people You would have us be. We know that we have been given the choices of life to take the paths of service to others, to express our love to family and friends, to do the works of justice. Impress upon us, O gracious God, how our small acts of goodness and kindness, combined in unity with others, can make our communities and our world places of understanding and of peace.

In Your name we pray. Amen.

THE JOURNAL

The SPEAKER pro tempore. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

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

Mr. DOGGETT. Mr. Speaker, pursuant to clause 1, rule I, I demand a vote on agreeing to the Speaker pro tempore's approval of the Journal.

The SPEAKER pro tempore. The question is on the Chair's approval of the Journal.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. DOGGETT. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 356, nays 50, answered ''present'' 1, not voting 27, as follows:

[Roll No. 376]

YEAS—356

Abercrombie
Ackerman
Aderholt
Allen
Andrews
Archer
Armey
Bachus
Baker
Baldacci
Baldwin
Ballenger
Barcia
Barr
Barrett (NE)
Barrett (WI)
Bartlett
Bass
Bateman
Becerra
Bentsen
Bereuter
Berkley
Berman
Berry
Biggert
Bilirakis
Bishop
Blagojevich
Bliley
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bonior
Bono
Boswell
Boucher
Boyd
Brady (PA)
Brady (TX)
Brown (FL)
Brown (OH)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Campbell
Capps
Capuano
Cardin
Carson
Castle
Chabot
Chambliss
Clayton
Clement
Coble
Coburn
Collins
Combest
Conyers
Cook
Cooksey
Coyne
Cramer
Crowley
Cubin
Cummings
Cunningham
Danner
Davis (FL)
Davis (IL)
Davis (VA)
Deal
DeGette
Delahunt
DeLauro
DeLay
DeMint
Deutsch
Diaz-Balart
Dickey
Dicks
Dingell
Dooley
Doolittle
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Ehrlich
Emerson
Eshoo
Etheridge
Everett
Ewing
Farr
Fletcher
Foley
Forbes
Ford
Fossella
Fowler
Frank (MA)
Franks (NJ)
Frelinghuysen
Frost
Gallegly
Gejdenson
Gekas
Gilchrest
Gillmor
Gilman
Goode
Goodlatte
Goodling
Gordon
Goss
Graham
Granger
Green (TX)
Green (WI)
Greenwood
Hall (OH)
Hall (TX)
Hansen
Hastert
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Herger
Hill (IN)
Hill (MT)
Hilleary
Hinojosa
Hobson
Hoeffel
Hoekstra
Holden
Horn
Hostettler
Houghton
Hoyer
Hunter
Hyde
Inslee
Isakson
Istook
Jackson (IL)
Jefferson
Jenkins
John
Johnson (CT)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Jones (OH)
Kanjorski
Kaptur
Kasich
Kelly
Kennedy
Kildee
Kilpatrick
Kind (WI)
King (NY)
Kingston
Kleczka
Klink
Knollenberg
Kolbe
Kuykendall
LaFalce
LaHood
Lampson
Largent
Larson
Latham
LaTourette
Lazio
Leach
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
Lofgren
Lowey
Lucas (KY)
Lucas (OK)
Luther
Maloney (CT)
Maloney (NY)
Manzullo
Markey
Martinez
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McCrery
McGovern
McHugh
McInnis
McIntosh
McIntyre
McKeon
McKinney
Meehan
Meek (FL)
Meeks (NY)
Menendez
Mica
Millender-McDonald
Miller (FL)
Miller, Gary
Minge
Mink
Moakley
Moore
Moran (VA)
Morella
Myrick
Nadler
Napolitano
Nethercutt
Ney
Northup
Norwood
Nussle
Obey
Ortiz
Ose
Owens
Oxley
Packard
Pascrell
Pastor
Paul
Pease
Pelosi
Petri
Phelps
Pickering
Pitts
Pombo
Pomeroy
Porter
Portman
Price (NC)
Pryce (OH)
Quinn
Rahall
Rangel
Regula
Reynolds
Riley
Rivers
Rodriguez
Roemer
Rogers
Rohrabacher
Ros-Lehtinen
Rothman
Roukema
Roybal-Allard
Royce
Rush
Ryan (WI)
Ryun (KS)
Salmon
Sanchez
Sandlin
Sawyer
Saxton
Scarborough
Schakowsky
Sensenbrenner
Serrano
Sessions
Shadegg
Shaw
Shays
Sherman
Sherwood
Shimkus
Shows
Shuster
Simpson
Sisisky
Skeen
Skelton
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Souder
Spence
Stabenow
Stark
Stearns
Stenholm
Strickland
Stump
Sununu

☐ This symbol represents the time of day during the House proceedings, e.g., ☐ 1407 is 2:07 p.m.
Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

Printed on recycled paper.

Talent	Traficant	Weiner
Tanner	Turner	Weldon (FL)
Tauscher	Udall (CO)	Weldon (PA)
Taylor (NC)	Upton	Weygand
Terry	Velazquez	Whitfield
Thomas	Vitter	Wicker
Thornberry	Walden	Wilson
Thune	Walsh	Wise
Thurman	Wamp	Wolf
Tiahrt	Watkins	Woolsey
Tierney	Watt (NC)	Wu
Toomey	Watts (OK)	Wynn
Towns	Waxman	Young (FL)

NAYS—50

Baird	Hefley	Ramstad
Borski	Hilliard	Rogan
Clay	Hinchey	Sabo
Clyburn	Holt	Sanford
Condit	Hooley	Schaffer
Costello	Hulshof	Scott
DeFazio	Hutchinson	Spratt
Doggett	Jackson-Lee (TX)	Stupak
English	Kucinich	Sweeney
Evans	LoBiondo	Taylor (MS)
Fattah	Moran (KS)	Thompson (CA)
Filner	Neal	Thompson (MS)
Gephardt	Oberstar	Udall (NM)
Gibbons	Pallone	Vento
Gonzalez	Peterson (MN)	Visclosky
Gutierrez	Pickett	Waters
Gutknecht		Weller

ANSWERED ''PRESENT''—1

Tancredo

NOT VOTING—27

Barton	Ganske	Payne
Bilbray	Lantos	Peterson (PA)
Canady	McDermott	Radanovich
Cannon	McNulty	Reyes
Chenoweth	Metcalf	Sanders
Cox	Miller, George	Slaughter
Crane	Mollohan	Tauzin
Dixon	Murtha	Wexler
Engel	Olver	Young (AK)

□ 1020

So the Journal was approved.

The result of the vote was announced as above recorded.

PLEDGE OF ALLEGIANCE

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

Mr. LUTHER 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.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Lundregan, one of its clerks, announced that the Senate had passed with an amendment in which the concurrence of the House is requested, a bill of the House of the following title:

H.R. 2606. An act making appropriations for foreign operations, export financing, and related programs for the fiscal year ending September 30, 2000, and for other purposes.

The message also announced that the Senate insists upon its amendment to the bill (H.R. 2606) ''An Act making appropriations for foreign operations, export financing, and related programs for the fiscal year ending September 30, 2000, and for other purposes,'' requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. MCCONNELL, Mr. SPECTER, Mr. GREGG, Mr. SHELBY, Mr. BENNETT, Mr. CAMPBELL, Mr. BOND, Mr. STEVENS, Mr. LEAHY, Mr. INOUYE, Mr. LAUTENBERG, Mr. HARKIN, Ms. MIKULSKI, Mrs. MURRAY, and Mr. BYRD, to be the conferees on the part of the Senate.

The message also announced that the Senate agrees to the amendment of the House to the bill (S. 606) ''An Act for the relief of Global Exploration and Development Corporation, Kerr-McGee Corporation, and Kerr-McGee Chemical, LLC (successor to Kerr-Mcgee Chemical Corporation), and for other purposes.''

The message also announced that the Senate has passed a bill of the following title in which concurrence of the House is requested:

S. 695. An act to require the Secretary of Veterans Affairs to establish a national cemetery for veterans in various locations in the United States, and for other purposes.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair will entertain 1-minute requests at the end of the day.

CONFERENCE REPORT ON H.R. 2488, TAXPAYER REFUND AND RELIEF ACT OF 1999

Mr. LINDER. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 274 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 274

Resolved, That upon adoption of this resolution it shall be in order to consider the conference report to accompany the bill (H.R. 2488) to amend the Internal Revenue Code of 1986 to reduce individual income tax rates, to provide marriage penalty relief, to reduce taxes on savings and investments, to provide estate and gift tax relief, to provide incentives for education savings and health care, and for other purposes. All points of order against the conference report and against its consideration are waived. The conference report shall be considered as read. The yeas and nays shall be considered as ordered on the question of adoption of the conference report and on any subsequent conference report or on any motion to dispose of an amendment between the houses on H.R. 2488. Clause 5(b) of rule XXI shall not apply to the question of adoption of the conference report and to any subsequent conference report or to any motion to dispose of an amendment between the houses on H.R. 2488.

The SPEAKER pro tempore. The gentleman from Georgia (Mr. LINDER) is recognized for 1 hour.

Mr. LINDER. Mr. Speaker, for purposes of debate only, I yield the customary 30 minutes to the gentleman from Massachusetts (Mr. MOAKLEY), pending which I yield myself such time as I may consume.

During consideration of this resolution, all time yielded is for purposes of debate only.

Mr. Speaker, House Resolution 274 provides for the consideration of the conference report for H.R. 2488, the Taxpayer Refund and Relief Act of 1999. House Resolution 274 waives all points of order against the conference report and against its consideration, and provides that the conference report shall be considered as read.

The rule provides for 1 hour of general debate, divided equally between the chairman and ranking minority member of the Committee on Ways and Means.

Finally, the rule provides that clause 5(b) of rule XXI, which requires a three-fifths vote on any amendment or measure containing a Federal income tax increase, shall not apply to the question of adoption of the conference report and to any subsequent conference report or to any motion to dispose of an amendment between the houses on the bill.

Mr. Speaker, the growth in Federal tax revenue has consistently outpaced the growth in income of the American people paying those taxes. For the first time in American history, taxes have reached war era levels during peacetime. Budget projections show taxes at above 20 percent of the gross domestic product for the next 10 years. Last year, and at least for the next few, this ratio exceeds the levels of taxation during 1945, when America was involved in every corner of the world during and after World War II.

In short, the American people are paying too much taxes. The American people have given the Federal Government too much of their money, and we have to decide what to do with it. We committed ourselves to a certain cost of government in the 1997 balanced budget agreement. Since then, the American people have grown the economy so much they have paid too much for their government, and it is time to give it back.

That is exactly what the Taxpayer Refund and Relief Act proposes to do, make change for the American people on their tax bill.

On every other bill we get in the mail, for credit cards, the power bill, the phone bill, if we overpay, the company notes a little CR credit on the bill, crediting that amount for the next month. What would we think if businesses one day decided they could spend that overpayment better than we could, and just added it to their income statement at the end of the year? Why would we let the Federal Government do this to us?

That is what many of our colleagues in the House and the President are trying to do. Just a few months ago President Clinton said, we could give it all back to you, and hope you spend it right, but. But of course he believes that he knows how to spend our money better than we do, and he would rather let the Federal Government decide how to use our overpayment.

We in the majority believe our constituents have overpaid enough and are burdened every day by oppressive taxes. Let us think about what Americans must pay. First we are taxed on

our income, then we are taxed on our savings and investments. Then we are taxed on our business, and irrationally, if we get married, we get a marriage penalty tax.

If that is not enough, there are death taxes levied on us after we have died. Our tax relief bill begins to change this pattern. This bill entirely eliminates the death tax, which has prevented thousands of Americans from keeping their family-owned businesses or family farms. It provides a 1 percent reduction in every American's tax rate, ensuring that every American who has been overcharged for their government will receive a refund. The bill seeks to expand on the investment that has helped to give us this surplus by cutting capital gains.

The Taxpayer Refund and Relief Act also provides $100 billion in relief from the marriage tax penalty, a tangled web of tax provisions that have punished Americans for marrying for far too long.

H.R. 2488 expands opportunities for families to save for their children's education or their retirement, and it allows the self-employed to deduct the full cost of their health care.

In total, this bill provides $792 billion in well-deserved tax relief for the American people. Tax relief is about freedom, freedom to save, spend, or invest, as we see fit. It is about returning dollars and decisions back home to the American people and American families.

With this bill, hard-working Americans will not have to work as long to pay the IRS. That means parents will have more time to spend with their kids or take care of an elderly parents. They will also have the financial freedom to do the things they want to do. I trust the American people to make these decisions for themselves.

Mr. Speaker, we are going to hear a lot today about how we are supposedly slashing funds for education, social security, Medicare, and every other program in the Federal budget. Frankly, though, if Congress wants to reduce revenues to the Federal Treasury, cutting taxes is one of the worst ways to do it, because every responsible tax cut in the past has increased revenue, not reduced it. The tax cuts passed in 1981 doubled the revenues to the Treasury because they doubled the size of the economy.

We are not cutting taxes to reduce the size of government, we are doing it because it is the right thing to do, the honest thing to do, and the best way to manage the people's trust and their hard-earned money.

Let us be clear from the start, we are not talking about debt reduction because the Republican budget, calls for $2.2 trillion in debt reduction over the next 10 years. We are not talking about social security, either, because the Republican budget, enforced by the lockbox legislation passed this year, protects every dollar of the social security surplus.

What we are talking about here is taxing and spending. This bill cuts taxes by $792 billion over 10 years, and the Clinton budget hikes spending by $937 billion over the same period. It is regrettable that the President has chosen to turn this opportunity to refund Americans' tax overcharge into a political game, but I feel confident that the American people agree that their money is safer in their pocketbooks than in Washington.

I congratulate the gentleman from Texas (Chairman ARCHER) and the conferees for their hard work on this historic legislation. I urge my colleagues to support the rule so we may proceed with the general debate and consideration of the merits of this legislation.

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

□ 1030

Mr. MOAKLEY. Mr. Speaker, I thank the gentleman from Georgia (Mr. LINDER) for yielding me the customary half hour, and I yield myself such time as I may consume.

Mr. Speaker, I realize that Congress is nearing the end of a session. I realize that people have been working very late. But this bill is so convoluted I am surprised my colleagues, my Republican colleagues, can keep a straight face.

They say they want the so-called tax bill to become law, but everyone knows it is dead on arrival at the White House. For that reason, my Republican colleagues do not want to send it over there until after the August break.

But for some reason, Mr. Speaker, this so-called tax bill is being rushed through the House at breakneck pace. It was handed to the Committee on Rules after midnight last night. Now 9 hours later, it is here on the House floor. Meanwhile, my Republican colleagues are not planning on showing it to President Clinton for another month.

If I did not know any better, Mr. Speaker, I would say that my Republican colleagues are embarrassed by this bill. They do not want Members of Congress to know what is in it. They do not want members of the press to know what is in it. They do not want the American people to know what is in it either. I cannot say I blame them.

Republicans want to raid the Social Security and Medicare Trust Funds and give a huge tax break back to those fat cats.

Democrats, on the other hand, want to save the surplus. They want to protect Social Security and want to protect Medicare.

Because, Mr. Speaker, while my Republican colleagues say they do not want to hand out enormous tax breaks to the rich Americans, the baby boomers are getting closer and closer to retirement which will cause Social Security and Medicare to buckle starting the year 2015.

My Republican colleagues' so-called tax break for the rich is not even much of a tax break after all. It is more of a hoax.

Any tax breaks people would get under this bill are taken away in 8 or 9 years. That is right, Mr. Speaker, these so-called tax breaks vanish into thin air after 8 or 9 years, and they are back where they started.

For the first few years, it will look like individual income tax are being reduced. Then in the year 2008, suddenly they shoot right back to where they were before. Long-term capital gains will start to go down, and then, in the year 2008, they will suddenly shoot back up.

Even the marriage penalty, listen to this, Mr. Speaker, even the marriage penalty will be back before it is fully repealed. So I do not know what it is going to do to the divorce courts.

Mr. Speaker, if my Republican colleagues are so hell bent on giving tax breaks to the very rich, why do they not go ahead and do it. Why do they not go ahead as their plan would indicate and cut taxes for the very rich while Medicare and Social Security follow path.

The reason is very simple, Mr. Speaker, it costs too much. This all-you-can-eat tax break smorgasbord is unbelievably expensive. So my Republican colleagues decided to do away with it after the year 2009. That is right, Mr. Speaker. After the year 2009, the tax break buffet is over. Income tax rates shoot back up, debt taxes are reimposed, and the marriage penalty is back where it started.

Mr. Speaker, if any of my colleagues doubt that this bill raises rates in the years 2008 to 2009, I would tell them to look at the rule. This rule, once again, waives the required three-fifths vote for tax increases. This is the same party, Mr. Speaker, that wanted to put this in the Constitution, and here they are again waiving the three-fifths needed for the tax increase.

So the tax breaks worth thousands of dollars that my Republican colleagues want to give to the richest taxpayers will fade just as quickly as the hundred dollar tax break nearly everyone else will get.

Mr. Speaker, everybody agrees that hard-working Americans deserve tax relief. Democrats have consistently stood for targeted tax cuts that benefit the middle class. Democrats believe that we shore up Social Security and Medicare and pay down the national debt while providing targeted tax cuts to the middle class.

The Republican tax breaks for the rich will disappear after 10 years; but at that point, Mr. Speaker, after 10 years, Mr. Speaker, the damage to Social Security and Medicare will already have been done.

Mr. Speaker, I urge my colleagues to oppose this rule and this conference report.

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

Mr. LINDER. Mr. Speaker, I am pleased to yield 4 minutes to the gentleman from Staten Island, New York (Mr. FOSSELLA).

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

Mr. FOSSELLA. Mr. Speaker, I thank very much the gentleman from Georgia for yielding me this time and also for his steadfast commitment to fight on behalf of the American taxpayer.

I think it was the comment of the gentleman from Georgia (Mr. LINDER) that this is about freedom, this debate.

I think what we are going to have before us, first the rule, and then the underlying legislation, are two arguments. One that wants to strengthen personal freedom, one that recognizes that government has a responsibility to all of the folks that we represent throughout our great Nation. The other side of the argument is we have a responsibility and we also want to take as much of one's money as possible to spend it here in Washington.

First, let us say what we are doing. We are protecting and strengthening and preserving Social Security and Medicare. There are those who are going to scare seniors, scare women, scare anybody within earshot if they can do it, and that is sad.

I think the American people are wise enough to understand that the Republican Congress has set aside the Social Security taxes for Social Security. We are strengthening our national defense. We are funding education. We are protecting our environment. That is what we are doing.

Then the question becomes, what do we do with this projected surplus? Our economy over the next 10 years is projected to grow to about $100 trillion. We are talking about tax relief of less than a trillion, which is less than 1 percent of our Nation's economy, to send back to the people who generated it.

So if we are committed to continuing economic growth, if we are committed to preserving personal freedom for the people who are working hard every single day, then the question becomes, do we take that projected surplus and leave it here in Washington like leaving candy on a table with little kids around, or do we send it back to the folks who earned it?

The question becomes, again, who benefits? Well, under this bill, every American who pays taxes benefits. If one is a small business owner, 30, 40 years or two or three generations, one has been building up one's small business and one goes to sell it, and one has Uncle Sam there waiting for his part of the pie, this eliminates the death tax so one can pass that business on to one's family so they can make that small business become a big business.

If one sets money aside every paycheck to buy a few shares of General Motors or Ford or Coca-Cola or whatever, and then one goes to sell that stock so one can pay for one's child's education, if one has two or three kids these days in college, $100,000 a year practically, and one sets that money aside for 20 or 30 years, and one says, ''Do you know what? When Johnny goes to college, I am going to sell that to pay his tuition,'' capital gains reduction helps that person.

Frankly, I think we can find a common ground here. The common ground is very simple. With this money that the people from Staten Island and Brooklyn generated, the people from Georgia, the people from California who work hard every single day to keep our engine humming, to keep this economy moving, whether one is a truck driver or worker behind the counter at Dunkin Doughnuts, the fact is, when we give one more of one's money back, the American people benefit.

Yes, there are those who want to spend all of one's money. Do not believe them. We believe in the American people. We have faith in the American people. We trust the American people to spend their money as they see fit.

I urge my colleagues to support this rule and stand up for the American taxpayer.

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

Mr. Speaker, the gentleman from New York trusts the American people to spend their money only for 10 years, though. Then they want to pull it back.

Mr. Speaker, I yield 3 minutes to the gentleman from New York (Mr. RANGEL), the ranking member of the Committee on Ways and Means.

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

Mr. RANGEL. Mr. Speaker, I have been in this House and privileged to serve for a long time. I have seen a lot of political things, but I have never seen a sham like the one that we are trying to pull on the American people today.

There is not a Republican in this House of Representatives that can look their constituent in the eye and say that this bill is going to become law. There is not a Republican in this House or in the other House on the other side that would be able to say that there is an economist that they can find any place in the United States that says we can spend the same money four different ways.

If we were talking about a $4 trillion tax cut and an $800 billion tax cut to go into effect in the next decade, one would think, with a five-vote margin, one would reach out to some of the Democrats, some of the Democratic leaders. Maybe one might even talk to a Democrat or two on the tax writing committee.

But this has nothing to do with tax writing. That is why my colleagues had the Majority Whip there, not the tax writing people. I feel sorry for a lot of Republicans who were not able to get involved in it. But fear not, because, instead of their involvement, the lobbyists did the job for them.

What this is, really, is a rule to have Christmas in August. It is a wish list so that every contributor that one can find listed in the FEC will get a promise that maybe one day if they keep the majority they can keep these things away.

Because my colleagues know in their heart of hearts that the President and the American people are too responsible to let this happen. So they have a freebie. They got your Christmas list, and they know it never, never, never will become law.

But it would seem to me that now is the time to be bipartisan. Once my colleagues know this thing is going to be vetoed, at least have a small tax bill that they think that they would be able to work with.

But just listen to this, because I want to listen to the distinguished gentleman from California (Mr. DREIER) from the Committee on Rules, late into the night, the Republicans give away as much as they can to the other body to see that they can get 51 votes so that they can at least pass it.

With all of this rush, one would believe that they are rushing the bill to the White House. That is the process: House, Senate, conference, White House. Oh, no. They want this bill to turn slowly in the wind at every Republican fund-raiser around the country and to be able to say, ''You see, we even turn chicken manure into electricity. It only costs $500 million. But in our bill, we are the only party to take care of chicken manure for the chicken farmers so that we can get a great charge out of it.'' I tell my colleagues this.

Mr. LINDER. Mr. Speaker, I yield 1 minute to the gentleman from New York (Mr. RANGEL).

Mr. DREIER. Mr. Speaker, will the gentleman yield?

Mr. RANGEL. I yield to the gentleman from California.

Mr. DREIER. Mr. Speaker, I would like to say that, as we look at the prospect of some kind of tax increase, God forbid, I am convinced that there is no better expert at putting together a tax increase bill than the gentleman from New York standing in the well. I want him to know that, Mr. Speaker, if we ever, ever on this side were to consider any kind of tax increase, the gentleman from New York is the first person to whom I would look for direction and advice and counsel on doing just that because he is so expert in it.

Mr. RANGEL. Mr. Speaker, the gentleman from California can tell the people that he works with, those shelters, that ''Rangel is coming for you.''

Mr. DREIER. Mr. Speaker, they are ready for the gentleman from New York.

Mr. RANGEL. Everybody wants a tax cut.

Mr. DREIER. They are ready for the gentleman from New York.

Mr. RANGEL. Mr. Speaker, everybody wants a tax cut. But some of us believe that we are paying off our debts first.

Mr. DREIER. Mr. Speaker, that is what we are in the next five years by a six to one ratio.

Mr. RANGEL. Mr. Speaker, we cannot pay off our debts, take care of Medicare, take care of Social Security.

Mr. DREIER. Mr. Speaker, I tell the gentleman from New York, keep fighting for those tax increases.

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

Mr. MOAKLEY. Mr. Speaker, I yield 2 minutes to the gentleman from California (Mr. STARK) a member of the Committee on Ways and Means.

□ 1045

Mr. STARK. Mr. Speaker, I thank the distinguished ranking member for yielding me the time, and want to remind one of the previous speakers, who suggested that, I suppose he means Democrats who are working for wages, could buy a couple of shares of Kodak. That would cost them about $160 a month out of their paycheck. Or Coca-Cola, I guess he said. Now, the tax bill is going to give this worker $136 a year. The worker already is not able to pay his or her bills, buy long-term care insurance, pay the house mortgage and get the kids to college. So I suggest that it is very disingenuous to gratuitously say to that worker, go ahead and save 160 bucks a month, we will give you $136 a year towards it.

As a matter of fact, this bill was really designed to help Dr. Kevorkian and the undertakers. Several of my colleagues have already heard from their adult children wondering how we intend to commit suicide so we can escape the inheritance tax.

Everybody has been bleeding on the Republican side for these poor multimillionaires who are going to have to pay an inheritance tax. Talk about term limits. They have said to the owners of small businesses and the owners of family farms, ''Die baby. Die in the next 10 years, and you can give the farm away to your kids tax free. But if you live, it goes right back up, and we sock you for a big inheritance tax.''

They change the rules to make funny speeches. We argued here sometime ago about a 60 percent rule, screaming that only the irresponsible people in this House would vote to raise taxes and they needed a supermajority. Well, with this bill they are going to raise taxes, and they have had to waive their own rules.

One of the more serious issues is that they have really decided to turn their back on Medicare, and they are going to let Medicare destruct. They voted in committee against their own bills.

Mr. MOAKLEY. Mr. Speaker, I yield myself such time as I may consume to respond to the Member in the Republican Party who said that these people should take the money and invest it in Coca-Cola. With the money the people on the bottom part of that chain will get, they will only be able to invest in a six pack of Coca-Cola.

Mr. Speaker, I yield 2 minutes to the gentleman from Michigan (Mr. LEVIN).

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

Mr. LEVIN. Mr. Speaker, one word three times, reckless, reckless, reckless. That is what the Republicans are doing. Fiscal discipline guards our prosperity here, and they are turning their backs on it.

The choice this year is clear. As Chairman Greenspan said, let the surpluses run, pay down the debt, or let the deficits grow again. The Republicans are back at it, letting the deficits grow again.

And even if the budget assumptions are correct, and those assumptions are wrong, there would be no money left to strengthen Social Security and Medicare. The chairman of the Committee on Ways and Means has a Social Security plan that would use the same trillion dollars that he is using for the tax cut.

Look, the choice in 8 or 9 or 10 years would be this. Continue the tax cuts that are in this bill and explode the deficit or let the tax cuts expire and that would be the biggest tax increase in American history, $175 billion a year, if we let this bill be sunsetted.

The Republicans like to talk about the biggest American tax increase in history in 1993, $275 billion over 5 years. This would be, under their plan, if there is a sunset, a $175 billion tax increase in a year.

Lastly, this bill is grossly unfair. If the Republicans shed any tears here, they are crocodile tears for middle and low-income taxpayers. Here is what Deloitte & Touche says: A couple with an annual income of $50,000 with 2 children would get a tax cut of $265; a couple with $200,000 would get a tax cut of $2,720; and, look, the millionaire would receive a tax cut of $9,861 compared to the family of $50,000, $265.

It is not only excessive it is grossly unfair. Let us turn it down.

Mr. LINDER. Mr. Speaker, I yield myself such time as I may consume to respond to that silliness.

The top 1 percent of all the income earners in this country earn 17 percent of all the income and pay 32 percent all the taxes. The bottom 50 percent of the income earners pay 4.8 percent of all the taxes.

We now have 40 million American families that pay no income taxes, and that is who the Democrats want to help. They want to turn this into welfare.

If we are going to cut taxes because we have overtaxed in this country, the people who pay taxes are going to get the tax relief. The top 10 percent of the income earners in this country earn 42 percent of all the income and pay 63 percent of all the taxes. If we are going to cut taxes because it is hurting the economy by taking too much into Washington, the people who pay taxes are going to get the tax relief.

That is what the Democrats cannot stand, because they want this money to stay in Washington so they can dole it out to folks who do not pay taxes.

My biggest fear, my biggest fear is that one day they will be back in charge of this House and pass their tax relief that will take 60 percent of America off the tax roles entirely, and we will have a huge bias in favor of more government, more spending and, ultimately, more taxes because most of America is not paying taxes.

Mr. Speaker, I yield 2 minutes to the gentleman from California (Mr. OSE).

Mr. OSE. Mr. Speaker, I stood in the back of the chamber here listening to the debate, and it is somewhat perplexing. I am trying to figure out what it is the gentlemen and the gentlewomen on the other side object to.

Is it the reduction in the rates on ordinary income? Is it the provision for the deductibility of health insurance? Is it the credits given for adoptions for special needs children? Are they objecting to these things? Is it the provision allowing for increased savings for the education of our children and grandchildren? Is it the marriage tax penalty relief that the Democrats object to? Is it the increase in the private savings that is so greatly encouraged by the revisions to the IRA and other retirement programs? Is it the fact that the President wants to save 62 percent of the Social Security revenue, and we want to save 100 percent?

Exactly what is it the other side objects to here? If it is, in fact, an objective of the other side to defeat this bill, then they should vote against it. They should just tell the people of America that they are in opposition to all these things. I encourage my colleagues to do so.

Mr. MOAKLEY. Mr. Speaker, I yield 2 minutes to the gentleman from Texas (Mr. DOGGETT).

Mr. DOGGETT. Mr. Speaker, I will tell my colleague exactly what we object to. We object to funding tax breaks for special interests by jeopardizing Social Security and Medicare. That is what this bill is all about.

They call it the Financial Freedom Act. Well, it provides a little more freedom for some folks than for others. In the words of Dr. King, some people are ''free, free, God Almighty, free at last.'' And at the top of the list are the chicken manure producers. Hundreds of millions of dollars of tax subsidies for chicken manure producers in this country. Down in Texas we have Whataburger. Well, ''What a chicken'' this is. They have given new meaning to ''chicken deluxe,'' to ''chicken special'' in this bill by giving hundreds of millions of dollars of tax relief to chicken manure producers.

And who do my colleagues think pays for that? I think it is best summed up in this copy of a painting that hangs here in Washington. It is entitled ''Plucked Clean.'' And that is exactly what happens to Social Security and Medicare. They get plucked clean. Social Security and Medicare do not enjoy the benefits of the chicken manure producers. They get plucked clean.

This $2 trillion figure that they keep talking about, it is not a surplus, it is

the money that hard working men and women across this country are expected to pay into the Social Security System. It is their money; it is there for Social Security. In this bill, Republicans do not add one additional dollar for Social Security. And we know the money, that $2 trillion, is not by itself enough to fund Social Security forever.

Likewise, with reference to Medicare, Republicans do not add an additional dollar for Medicare. They are not funding the long-term solvency of Medicare or covering the much-needed prescription drugs.

Why is it that every time that there is some tax cut, it goes to the special interests? And if my colleagues need further verification of the fact that Social Security and Medicare are being plucked clean in order to provide tax breaks for the special interests, examine the phony ''trigger'' mechanism in this bill. It will supposedly cut off, in certain circumstances, some of the future tax relief provided by this bill. But the ''trigger'' does not apply to the chicken manure producers; it only applies to the section of the bill addressing tax cuts for individuals. Special interests get the special treatment; individual taxpayers get left out.

This is wrong. Do not pluck Social Security and Medicare clean to help the chicken manure producers and most every other special interest which has a lobbyist and a political action committee.

Mr. LINDER. Mr. Speaker, I yield myself such time as I might consume to respond to a couple of things.

Mr. Speaker, I would like to point out that what we are proposing to send back to the American people, $792 billion, the President's budget proposes to spend, not on chickens and not on manure and not on Medicare but on 80-some new Federal programs.

The question is do we give it back to the American people or does Washington spend it with new bureaucracies?

Having said that, I would also like to finish Mr. Greenspan's quote. He has been quoted here as saying that his first priority would be to let the surpluses run. He then went on to say this. ''As I have said before, my second priority is, if you find that as a consequence of those surpluses they tend to be spent, then I would be more in the camp of cutting taxes, because the least desirable is using those surpluses for expending outlays.''

Read the President's budget. He wants to spend that money.

Mr. Speaker, I yield 3 minutes to the gentleman from Florida (Mr. WELDON).

Mr. WELDON of Florida. Mr. Speaker, I thank the gentleman for yielding me this time, and I rise in strong support of this rule and the underlying bill providing tax relief for working Americans.

For years, I, as a private citizen, saw the politicians in Washington not only spending all of the money that comes in, in terms of the Federal withholding, but as well spending the Social Security surplus, and additionally then spending even more than that. And as we all know, we ran huge deficits.

All the years that I was working in my medical practice in Florida, I kept seeing the reports coming back from Washington, $100 billion, $200 billion, $300 billion of red ink. Now, I have been in this Congress for 5 years, and I have been very proud to be part of turning things around. We have been able to successfully stop the business of spending more money than what comes in every year and have been able to produce balanced books for the first time in 25 years.

And then we were finally able this year to do something that I have been asking for and fighting for since the day I arrived, which is to set the Social Security funds aside and to not spend those monies as has been done year after year. Unfortunately, our Social Security lockbox is still being played with by the minority in the other body, but, hopefully, we will ultimately get that enacted into law.

And, yes, we are beginning the process today of taking some of the money and saying, no, we do not want to keep it in this city but we want to return it back to working Americans. Because, after all, it is their money.

And what are some of the things we have in this bill? Well, tuition tax credits, so that it will be easier for parents to send their kids to college. We have adoption tax credits for special needs kids. In my State in Florida and every State of this country, there are kids with special needs sitting in the social systems waiting to be adopted.

□ 1100

We also have a provision in this bill that would make it possible for people to deduct the cost of having their elderly parents living in the home rather than sending them into nursing homes. And, yes, we have capital gains relief.

I happen to believe that is the best thing to help perpetuate this robust economy and creating new jobs. Because when we cut capital gains, it is the best thing to cause people to invest money in the economy.

And, yes, we have a reduction or an elimination of the death tax or the inheritance tax. In my district, it is causing the break-up of family farms, of orange groves, of cattle ranches. These things are being sold off for development or being sold off for agribusiness. And by doing this, we can allow it to stay in the family.

This is a good tax bill, and everybody should be supporting it.

Mr. MOAKLEY. Mr. Speaker, I yield 10 seconds to the gentleman from California (Mr. STARK) from the Committee on Ways and Means.

Mr. STARK. Mr. Speaker, I just wanted to ask any of my Republican colleagues if they know how much they are really helping poor Americans? It is only the Republicans who can take a bill full of chicken manure and turn it into a turkey. As soon as the public finds out how to do that, we will solve the homeless-and-the-hungry problem.

Mr. MOAKLEY. Mr. Speaker, I yield 2 minutes to the gentlewoman from Ohio (Mrs. JONES).

(Mrs. JONES of Ohio asked and was given permission to revise and extend her remarks.)

Mrs. JONES of Ohio. Mr. Speaker, I rise in opposition to the rule.

In 1998 when I ran for Congress, I promised the people of the 11th Congressional District that I would come to Washington to fight to save Social Security and Medicare, fight for the Patients' Bill of Rights, fight to improve educational opportunity, and fight to continue debt reduction.

This is my first opportunity to debate a tax conference report. I would not fulfill my commitment to the people of my district if I did not stand in fervent opposition to this report.

My father, a skycap for United Airlines for 40 years, always said, ''Stephanie, never count your chickens before they hatch.''

This conference report does just that. It spends a surplus we do not even have. Domestic priorities are crushed. The seniors in my district want to have a prescription provision in Medicare, not a tax cut. The children in my district want to and deserve to go to schools where the roofs are not leaking, the classes are smaller, where they can be linked to the Internet and prepare for the new millennium. They do not want a tax cut.

The working men and women in my district want assurance of health care coverage, not a tax cut. They want an increase in minimum wage that will be fueled by economy that continues to grow wherein there is no tax cut. Veterans in my district want greater assistance, not a tax cut.

The proponents of this bill suggest that this cut will put money in the pockets of American people. Working men and women will get no money in their pockets. They are not telling the people that. They are only telling the people that someone will get a tax cut, but they are not telling whom. What they are not telling the people is that the money will come at the expense of Social Security, Medicare, educational opportunities, health care, and that the 10 cents that is put in their pockets will never buy them health care, will never buy educational opportunities, will never give them a tuition credit.

I urge my colleagues in this House to vote against this rule, to vote against this irresponsible tax cut, and to vote to protect the people of America.

Mr. LINDER. Mr. Speaker, I yield myself such time as I may consume to respond to the gentlewoman from Ohio (Mrs. JONES) who could not have made my case more clearly.

She wants to spend money. The Democrats want to spend it on more government. We want to give it back to the American people. In their entire presentation, she had 10 or 15 new

spending programs that she wants it used on. We want to give it to the American people.

Mr. Speaker, I yield 3 minutes to the gentlewoman from North Carolina (Mrs. MYRICK) my colleague on the Committee on Rules.

Mrs. MYRICK. Mr. Speaker, I rise today in strong support of this rule and also the tax relief bill because I am excited about the fact that we are doing something responsible to help the American people.

This bill is something that people have been waiting for for a long time, to be able to keep more of their money in their own pockets. And it really is possible to do that today through the surpluses that we are going to be looking at. Over the next 10 years, it is projected there will be $3.3 trillion in surpluses.

Now, we are not going out on a limb and saying we are going to spend all of that this year. This is a very responsible bill. It is going to be phased in over a period of time. As the money becomes available, then it will be given back to the people.

But the most important thing we need to remember is 75 cents out of every dollar in this surplus that we are going to be using, this $3.3 trillion, is going to be going back into saving Social Security and preserving Medicare and improving education and our national defense. Only 25 cents of every dollar is going to be given back to the American people.

Now, this 25 cents is income tax surplus they are going to be paying, money that is more than we need to run the government. So why should it stay here in Washington and be spent? Why should it not go back to the people? They deserve to have that money to use.

This tax bill is going to provide some marriage penalty relief in the form of people who are married to be able to deduct twice as much money as the individual is so they can be treated fairly and we do not penalize marriage anymore.

We are going to be putting money into extending the research and development tax credits. That also spurs the economy. It develops new technologies. It provides capital for our businesses in this country. That also helps to provide new jobs for people, which, of course, we are always interested in doing.

The death tax repeal is something that is crucial. I hear all the time in my district, I am really concerned about how I can leave the farm or how I can leave my small business to my kids because everything is going to be eaten up in taxes.

It is like we penalize people. The American way is to do well for ourselves, save, try to put a little away for our kids, for the future. And then we come along and say, Oh, no, they have got to pay it to Uncle Sam so they can die.

The same with capital gains relief. We are going to provide capital gains relief again for the second time. This also spurs the economy and it helps middle-class Americans. It is not the rich that it helps. It helps all of us when we sell our homes and to be able to save some of that money.

The same with education savings accounts. It helps us send our kids to school and college and put that money away tax free.

So these are good things that the people at home have been asking for. I am proud to stand here today and support the bill.

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

Mr. Speaker, I constantly hear from the other side that unless we give the surplus away in tax breaks, the rich right now, the politicians, will spend it.

Well, is the gentleman so afraid of his own party? Has the gentleman forgotten that the Republicans control this House, they control the Senate, and no money can be drawn except through the appropriations process, which they also control?

I would think they should have more confidence in their party and know that they could use the money well here.

Mr. Speaker, I yield 2 minutes to the gentleman from Massachusetts (Mr. TIERNEY).

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

Mr. TIERNEY. Mr. Speaker, I thank the soon-to-be chairman of the Committee on Rules for yielding me the time.

Mr. Speaker, I recommend a ''no'' vote on this rule and, obviously, object to the entire Republican risky bill. It is risky because the Republicans who are putting forth this program are endangering our families, our businesses, and our seniors.

This scenario that they are going to have $3 trillion in 10 years is by no means assured by anyone. Two-thirds of that is entirely Social Security monies that should go to protect Social Security.

Nothing in the Republican plan extends Social Security for even one day. Nothing in their plan even addresses Medicare's needs, in particular, prescription drug needs.

The only way they would get the other third to be able to put for any tax breaks at all is if they design to cut education, cut veterans' needs, cut research and development, cut a myriad of other programs that Americans depend on every day. That is the only way they get the kind of surplus they are talking about. And already they have shown that they have no intention of doing that.

It is going to be the Ronald Reagan plan again, borrow and spend, borrow and spend until we have trillions of dollars in debt to pay off. And after they have put all of this at risk, who are they putting it at risk for? The wealthy.

One of the gentlemen from the other side said that we object to certain tax breaks and listed off things that he did not find objectionable if they are put in at the right time and if they are in fact the tax breaks that people are getting.

What we object to is the $80 billion of corporate welfare, including by now the well-known chicken manure credit, but also breaks for three-martini lunches.

As the Washington Post said, the details in this tax ban highlight the Republican predilection for constant breaks for multinational corporations, real estate ventures, and other special interests.

They spend nearly a tenth of their breaks to favorite corporate America. $24 billion over 10 years would benefit multinational corporations. It is a break for foreign oil and gas income that would cost the Treasury more than $4 billion.

This is in fact a plan, as the President rightly said, that is risky and plainly wrong. Even Mr. Greenspan says that this is not appropriate in timing and in substance on this particular deal. They are going to raise interest rates over the roof. The American businesses and families, when they pay their mortgages, are going to suffer.

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

Mr. Speaker, the gentleman from Ohio (Mr. KASICH), the chairman of the Committee on the Budget, reversed the President's 1993 budget to bring us the surpluses.

If we will recall, by 2001 and 2002, the President's 1993 budget agreement predicted a $300 billion and $400 billion annual deficit. The gentleman from Ohio (Mr. KASICH) has turned that around.

Mr. Speaker, I am pleased to yield 3 minutes to the gentleman from Ohio (Mr. KASICH).

Mr. KASICH. Mr. Speaker, I think we should not miss the big picture in this debate. The debate in America today is about where power ought to be. Should power lie with the government and with big institutions in this society; or, conversely, should we attempt to strengthen the individual in America, the family in America, and the community in America.

That is the debate here today. The single biggest manifestation of empowering individuals and families in America is to give them a tax cut. Well, we ought to also give them school choice and individual retirement accounts, the opportunity to have more control of health care.

But fundamentally, the single greatest manifestation of the transfer of power and the building of the individual is when the individual has more money in their pocket and that individual could then share it with those in their communities or with their family members.

The fact is the next model is not about running America from the top down with big bureaucracies, whether

it is big government or big business or big labor or big media, trying to tell us how to live our lives.

The model that I believe we ought to operate with into the 21st century is the fact that power should flow from our families and our communities and from the individuals who make up those families. They ought to be strengthened in America. Because once they are strengthened, then they must assume responsibility.

But in America today, we are all worried about Littleton, we are all worried about being islands unto ourselves, we are all worried about the fact that we tend to have to go it alone today in America.

We must break that model. We have got to recover what has made this country so great, and that is a virtue system that says to individual Americans that they have a responsibility not just to themselves and not just to their families but to people who live in their neighborhoods. Because we are all connected.

The reason why we must transfer power to people is because with that power and with that freedom comes a set of responsibilities. The fact is that if they can have more money in their pockets as a family, then they can assume more responsibility for those around them.

Maybe we can begin to end the frustration and the cynicism that so many Americans have today. Because the choice in the 21st century is really are we going to eat the last piece of pizza or are we going to look out for those who live near us and around us and those who are in our families.

My colleagues, do not mix the issue here. Power is a zero-sum gain. If government has more, the individual has less. If government has more, the individual will be frustrated, more cynical, more road-blocked.

What we need to do is to set Americans free, more freedom, more power, more responsibility to connect ourselves again to one another, to connect our hearts and our souls together so we can shine up America and restore its vigor.

Support the tax bill.

Mr. MOAKLEY. Mr. Speaker, I yield 2 minutes to the gentlewoman from Texas (Ms. JACKSON-LEE).

(Ms. JACKSON-LEE of Texas asked and was given permission to revise and extend her remarks.)

Ms. JACKSON-LEE of Texas. Mr. Speaker, I just had the opportunity to visit with a number of seniors who are visiting the United States Congress today. I came back to the floor because I thought this was an important debate on their behalf. And even as I listened to my good friend who chaired the Committee on the Budget talk about power and its distribution, I was disappointed that he did not give us the facts about a tax bill that I plan to enthusiastically oppose.

□ 1115

The corporate welfare in this package is enormous. The power is being transferred from the people who work for a living to the large corporations who take their money for a living.

One lobbyist was quoted as stating, ''We got the sun, the moon and the stars in this tax bill.'' Another lobbyist was joking and said, ''We've been trying to get these cuts since the beginning of dawn.''

It made me reflect upon who really is in charge in this country. If I have to cast my lot anywhere in the United States, it will be with the working people, the senior citizens who understood what the Depression was all about, understood what making ends meet is all about, and they realize that when this tax bill is passed, the mortgage rates on their children will go up $100, the interest rates will go up $100, the ability to secure a loan, to do things like send their children to school and college and remodel their home will be enormous. They understand in 1981 when the Reagan tax cut came in, there was nothing but devastating financial days. We in Houston, Texas collapsed, bankruptcies were at their highest amount, homes were foreclosed on.

I beg my colleagues on the Republican side, stand with the working men and women, the senior citizens who understand, the people who want to educate their children, good health care, good environment. This is not taking your money. This is bringing down the deficit. This is bringing down the debt. This is what Chairman Greenspan said. Let the surplus increase so that when you move into the 21st century, you will be able to have a quality of life. Save Social Security and Medicare. Let me tell my colleagues where the power is. It is not with the working people of America. It is with the power-hungry people of America, and I am going to vote against this tax bill.

Mr. LINDER. At the risk of sounding remedial, Mr. Speaker, I would like to point out to the gentlewoman from Texas that there were more bankruptcies last year than any other year in history.

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

Mr. MOAKLEY. Mr. Speaker, may I inquire as to the remaining time for my friend from Georgia (Mr. LINDER) and myself?

The SPEAKER pro tempore (Mr. HEFLEY). The gentleman from Massachusetts has 9¼ minutes and the gentleman from Georgia has 5 minutes.

Mr. MOAKLEY. Mr. Speaker, I yield 2 minutes to the gentleman from Indiana (Mr. ROEMER).

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

Mr. ROEMER. Mr. Speaker, Thomas Jefferson explained to his Treasury Secretary, and I quote, ''I consider the fortunes of our republic as depending in an eminent degree on the extinguishment of the public debt.'' He later explained to that same Secretary of the Treasury that retiring the national debt would be his highest priority.

The Democratic proposal puts more money into debt reduction and debt relief than the Republicans do. Why is that important for us? They have a $1 trillion tax cut, we have a targeted $250 billion tax cut, but we put more emphasis on Social Security and debt relief. Why? Because if you are a small farmer in Indiana and you are trying to buy a $150,000 combine, that debt reduction can save you $10,000, for all farmers, not just for the wealthy. We also target the small businesses who are trying to buy and update the technology and capital equipment. That debt reduction that we put more money into helps them with tens of thousands of dollars in reductions for million-dollar capital equipment. We have targeted estate tax relief in our New Democrat proposal, targeted at small businesses and small farmers and American families that have someone sick with Alzheimer's or Parkinson's disease.

This is not a question of whether Democrats support tax cuts or not. We do. But we pay for them. According to one economic analysis, some 50 percent of the tax cuts would benefit, in the Republican plan, those earning $300,000 or more. How many of you watching today are in that category in America?

We have two choices: A Republican plan on prayed-for projections that answers the plans of the wealthy and the prayers of the wealthy. We have a Democratic plan that gives a tax cut and debt relief to every single American. The choice is easy.

Mr. LINDER. Mr. Speaker, again at the risk of sounding remedial, I would like to point out that our budget reduces the debt $200 billion more than the Clinton-Gore budget.

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

Mr. MOAKLEY. Mr. Speaker, I yield 2 minutes to the gentleman from Washington (Mr. SMITH).

Mr. SMITH of Washington. Mr. Speaker, I support tax cuts, but I also support fiscal responsibility. This bill only does the former. We will hear and have heard ad nauseam from the opposition about how this bill protects Social Security and reduces the debt. I guess if you say something often enough, you figure you will make it true, the facts be damned.

This bill cuts taxes by nearly $1 trillion, period. It does not do anything to protect Social Security. And it does not do anything for debt reduction. All it is is a $1 trillion tax cut over 10 years.

Let us look at those numbers that they use to assume how they are going to cover all of these promises that they have made. We hear of a $3 trillion surplus over 10 years. Right off the top, $2 trillion of that is in the Social Security surplus. Then we hear that the folks on the majority side are kindly setting aside this $2 trillion for Social Security. They do not have to. It is already there. It is in the Social Security trust fund. Furthermore, that $2 trillion regrettably does not do anything

to help us with the coming shortfalls in Social Security. That is the current system. That is not doing anything for Social Security. That is just covering the existing debts. It does not do anything to help with the coming problem.

So to say that you are setting that $2 trillion aside for Social Security is meaningless. Yet that is what we continue to hear. So we are left with $1 trillion. Well, that is all gone in tax cuts. Where is the debt reduction?

We hear from them that they have all this debt reduction, which is not in the bill and the numbers are clear: $3 trillion over 10 years, $2 trillion is gone for Social Security, $1 trillion is left and it is done in tax cuts. Yet we hear this constant rhetoric, we are doing all of these things, debt reduction, Social Security, occasionally they throw in Medicare. It does not add up. It is overpromising. It is based on projections, furthermore. And those projections include two key projections: One, it already locks in 20 percent cuts in existing spending over those 10 years to get to that number. We have not even begun to do those cuts. In fact we just declared the census an emergency yesterday to get around them this year, much less 10 years from now. Furthermore, these projections count on continued growth, no recession. So if any of this does not come to pass, we do not even have that $1 trillion that is already to be done in tax cuts.

Lastly, we hear that this is all about giving money back to the people and letting them make their decisions. Medicare and Social Security are two things the government does. Should we get rid of those programs to give the money back? Some programs need to be funded. The government does need to do some things.

Mr. MOAKLEY. Mr. Speaker, I yield 2 minutes to the gentleman from Texas (Mr. TURNER).

Mr. TURNER. Mr. Speaker, the chart to my right compares the Republican tax cut plan with the tax cut plan of the Democrats. It is really very simple. We take the $1 trillion general operating budget surplus and we apply it to some very legitimate problems that we are facing in the Federal Government. We apply 25 percent to tax cuts, we apply 25 percent to save Social Security and Medicare, we apply 50 percent to debt reduction. Under the Republican plan, all of it is devoted to tax cuts.

This is a very risky plan for us to follow. First of all, the Republican tax cuts are aimed at Wall Street, not at Main Street where our plan aims them. Secondly, we save Social Security and Medicare by applying 25 percent of the on-budget surplus to those purposes. The Republicans like to claim that they have saved Social Security in their plan. Well, frankly, we have already done what they say they are doing in their tax cut. We have lockboxed Social Security, we all voted for it, Democrats and Republicans. We have taken care of that and it is important that we do that.

Finally, we apply 50 percent of the on-budget surplus to debt reduction. After 29 years of running up $5.5 trillion in national debt, do you not think that we could at least wait 1 year until we have a true on-budget surplus? Apparently the Republicans do not think so. Democrats do. We think we ought to lock-box 25 percent for tax cuts, lock-box 25 percent to save Social Security and Medicare, and let us lockbox 50 percent of the on-budget surplus to reduce the national debt so we will not be passing that on to our children and grandchildren. That is what makes sense for American families. That is what makes sense for America.

Mr. LINDER. Mr. Speaker, I hope the gentleman will be as enthusiastic in convincing the Democrats in the other body about the lockboxes as he is in this Chamber.

Mr. Speaker, I yield 2 minutes to the gentleman from Florida (Mr. SHAW), a member of the Committee on Ways and Means.

Mr. SHAW. Mr. Speaker, I thank the gentleman from Georgia for yielding me this time.

In looking at the figures that the previous speaker had up, holding 25 percent of the surplus out to save Social Security, 25 percent for Medicare, as chairman of the Subcommittee on Social Security, that interests me greatly because I want to know where the Democrat plan is. I want to know where that 25 percent figure came from. I think that could be very, very interesting.

But there is another thing that I want to know for those who have spoken before and those to come later. What is it that you do not like about eliminating the limitation on the deduction for the interest on student loans? What is it that you do not like about eliminating and phasing out the death tax where you have to see the undertaker and the Internal Revenue Service on the same day? What is it you do not like about an across-the-board tax deduction for all American taxpayers? What is it you do not like about reducing the cap on capital gains? What is it about the marriage penalty that you like that you want to hold on to? Why not eliminate it? Why not join with the Republicans? What is it you do not like about deducting health insurance costs? What is it you do not like about increasing the amount you can put into educational savings accounts? Last of all, what is it you do not like about getting a deduction for taking care of your elderly parents?

This bill has been drafted very, very carefully. This bill is a wonderful bill. This bill just uses a small portion of the surplus and leaves plenty, believe me, plenty. By the passage of the Archer-Shaw Social Security plan, Members will see that we are going to save Social Security and they will also see that we are going to get many Democrats that are going to join with us. This is the plan that we have and we are going to do it. We are also going to reduce the accumulated debt that is going to pester our descendants so much unless we do something about it.

Let us get together. Let us in a bipartisan way do these things that the American people want us to do. Let us pass this rule and pass this very fair and very good tax plan.

Mr. MOAKLEY. Mr. Speaker, I yield the balance of my time to the gentleman from Massachusetts (Mr. OLVER).

Mr. OLVER. Mr. Speaker, I thank the gentleman for yielding me this time. I rise to oppose this rule and the bill that underlies the rule.

Mr. Speaker, like the instinctive march of lemmings over a cliff, it is instinctive for the Republican leadership to give huge tax breaks to the richest individuals and special interests. In their bill, the 1 million wealthiest families whose income is greater than $300,000 per year will get about $1,000 a week of tax breaks. But for the 120 million American families whose income is under $125,000 a year, and that, by the way, includes everybody virtually whose income is under that of Members of the Congress, for those 120 million families, they are going to get enough to buy a cup or two of coffee a week, so that they can stay awake while they are working their double jobs. That is not the tax relief that the middle class needs and deserves. But they simply cannot help themselves. It is in their genes. It is their genetic defect. They deliberately, deliberately crafted a bill that makes the richest 1 percent of Americans a very great deal richer, a bill that gives away the projected surplus, not one dime of which has yet been produced. But they give away that projected surplus in order to produce that kind of tax break, distribution of tax breaks. They deliberately have not extended the life of Social Security by so much as a single day so that in the year 2030 when they open the lockbox, which all of us have voted for, they are going to find that the lockbox is empty.

□ 1130

They have deliberately left not a single dollar to extend the life of Medicare, which provides healthcare for all of our senior citizens and our disabled citizens, so in the year 2014, Medicare is going to be bankrupt too.

This plan is not just risky, it is reckless. This bill should be rejected.

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

Mr. LINDER. Mr. Speaker, I yield the balance of my time to the gentleman from California (Mr. DREIER), the Chairman of the Committee on Rules.

The SPEAKER pro tempore (Mr. HEFLEY). The gentleman from California is recognized for 3 minutes.

Mr. DREIER. Mr. Speaker, I thank the gentleman for yielding me time.

Mr. Speaker, I rise in strong support of the resolution. It is really sad to listen to the tried, age-old, and failed argument of class warfare. The previous

speaker was just once again getting into that ''us'' versus ''them'' argument. The fact of the matter is we are all in this together, and I think that we need to recognize that, yes, there are some people in this country who have been successful.

One of the greatest things about this Nation is that we provide opportunity. We provide opportunity for people to succeed, and we also in this country have an opportunity that some people are not all that successful. But I find that virtually everyone wants to have the opportunity to succeed, and that is what this tax bill is all about. We want to make sure that we maintain the kind of economic growth and expansion which this Nation has seen for the past several years.

We have today the highest tax rate in 50 years. The American people are paying more in taxes than they have in 50 years. We have been able to see the great benefits of surpluses that have been building, and what we are saying is that to maintain economic growth, we think it is important for people to be able to keep some of their own hard-earned dollars.

Guess what? That, in fact, is what we are going to do, and I hope very much that the President of the United States sees the way, as he has on the Y2K bill, welfare reform, on the National Ballistic Missile Defense bill, on the Education Flexibility Act, to come around to what is the right position, and that is to sign the bill.

I know that there are public opinion polls out there that are saying, gosh, we do not overwhelmingly, as the American people, support a tax cut. But we are proceeding with it. Why? It may not right now be the single most popular thing, but we know it is the right thing to do. That is why we are stepping up to the plate and doing just that.

As we look at the fact that 100 million-plus Americans are investing in the market, they are people who are often called ''rich'' by our friends on the other side of the aisle, but they consist of people who have maybe a few thousand dollars they are investing. What is it we are doing? We are going to allow them to keep more of that so they can choose to save or invest it by reducing that top rate on capital gains from 20 percent to 18 percent, and the very important provision in 2003 which allows us to see indexation of capital gains.

Then, extending for 5 years the research and development tax credit, that is very, very important. Forty-five percent of our Nation's gross domestic product growth in the past 4 years has come in the high-tech industry. Not only have hundreds of thousands of jobs been created by those investors, by new technologies, but we have also dramatically improved the quality of life for people here in the United States and around the world. We must do everything that we can to continue that.

Mr. Speaker, I urge my colleagues on both sides of the aisle to support this rule and to support a very, very good bill, and then, Mr. President, please sign it.

Mr. LINDER. Mr. Speaker, I have no further requests for time, I yield back the balance of my time, and I move the previous question on the resolution.

The previous question was ordered.

The SPEAKER pro tempore. The question is on the resolution.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. MOAKLEY. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 224, nays 203, not voting 7, as follows:

[Roll No. 377]

YEAS—224

Aderholt
Archer
Armey
Bachus
Baker
Ballenger
Barr
Barrett (NE)
Bartlett
Barton
Bass
Bateman
Bereuter
Biggert
Bilirakis
Bliley
Blunt
Boehlert
Boehner
Bonilla
Bono
Brady (TX)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Campbell
Canady
Cannon
Castle
Chabot
Chambliss
Chenoweth
Coble
Coburn
Collins
Combest
Condit
Cook
Cooksey
Cox
Crane
Cubin
Cunningham
Davis (VA)
Deal
DeLay
DeMint
Diaz-Balart
Dickey
Doolittle
Dreier
Duncan
Dunn
Ehlers
Ehrlich
Emerson
English
Everett
Ewing
Fletcher
Foley
Fossella
Fowler
Franks (NJ)
Frelinghuysen
Gallegly
Ganske
Gekas
Gibbons
Gilchrest
Gillmor
Gilman
Goode
Goodlatte
Goodling
Goss
Graham
Granger
Green (WI)
Greenwood
Gutknecht
Hansen
Hastert
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hill (MT)
Hilleary
Hobson
Hoekstra
Horn
Hostettler
Houghton
Hulshof
Hunter
Hutchinson
Hyde
Isakson
Istook
Jenkins
Johnson (CT)
Johnson, Sam
Jones (NC)
Kasich
Kelly
King (NY)
Kingston
Knollenberg
Kolbe
Kuykendall
LaHood
Largent
Latham
LaTourette
Lazio
Leach
Lewis (CA)
Lewis (KY)
Linder
LoBiondo
Lucas (KY)
Lucas (OK)
Manzullo
McCollum
McCrery
McHugh
McInnis
McIntosh
McKeon
Metcalf
Mica
Miller (FL)
Miller, Gary
Moran (KS)
Morella
Myrick
Nethercutt
Ney
Northup
Norwood
Nussle
Ose
Oxley
Packard
Paul
Pease
Petri
Pickering
Pitts
Pombo
Porter
Portman
Pryce (OH)
Quinn
Radanovich
Ramstad
Regula
Reynolds
Riley
Rogan
Rogers
Rohrabacher
Ros-Lehtinen
Roukema
Royce
Ryan (WI)
Ryun (KS)
Salmon
Sanford
Saxton
Scarborough
Schaffer
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Sherwood
Shimkus
Shuster
Simpson
Skeen
Smith (MI)
Smith (NJ)
Smith (TX)
Souder
Spence
Stearns
Stump
Sununu
Sweeney
Talent
Tancredo
Tauzin
Taylor (NC)
Terry
Thomas
Thornberry
Thune
Tiahrt
Toomey
Traficant
Upton
Vitter
Walden
Walsh
Wamp
Watkins
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
Whitfield
Wicker
Wilson
Wolf
Young (AK)
Young (FL)

NAYS—203

Abercrombie
Ackerman
Allen
Andrews
Baird
Baldacci
Baldwin
Barcia
Barrett (WI)
Becerra
Bentsen
Berkley
Berman
Berry
Bishop
Blagojevich
Blumenauer
Bonior
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brown (FL)
Brown (OH)
Capps
Capuano
Cardin
Carson
Clay
Clayton
Clement
Clyburn
Conyers
Costello
Coyne
Cramer
Crowley
Cummings
Danner
Davis (FL)
Davis (IL)
DeFazio
DeGette
Delahunt
DeLauro
Deutsch
Dicks
Dingell
Dixon
Doggett
Dooley
Doyle
Edwards
Engel
Eshoo
Etheridge
Evans
Farr
Fattah
Filner
Forbes
Ford
Frank (MA)
Frost
Gejdenson
Gephardt
Gonzalez
Gordon
Green (TX)
Gutierrez
Hall (OH)
Hall (TX)
Hastings (FL)
Hill (IN)
Hilliard
Hinchey
Hinojosa
Hoeffel
Holden
Holt
Hooley
Hoyer
Inslee
Jackson (IL)
Jackson-Lee (TX)
Jefferson
John
Johnson, E. B.
Jones (OH)
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick
Kind (WI)
Kleczka
Klink
Kucinich
LaFalce
Lampson
Larson
Lee
Levin
Lewis (GA)
Lipinski
Lofgren
Lowey
Luther
Maloney (CT)
Maloney (NY)
Markey
Martinez
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McGovern
McIntyre
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Millender-McDonald
Miller, George
Minge
Mink
Moakley
Moore
Moran (VA)
Murtha
Nadler
Napolitano
Neal
Oberstar
Obey
Olver
Ortiz
Owens
Pallone
Pascrell
Pastor
Payne
Pelosi
Peterson (MN)
Phelps
Pickett
Pomeroy
Price (NC)
Rahall
Rangel
Rivers
Roemer
Rothman
Roybal-Allard
Rush
Sabo
Sanchez
Sanders
Sandlin
Sawyer
Schakowsky
Scott
Serrano
Sherman
Shows
Sisisky
Skelton
Slaughter
Smith (WA)
Snyder
Spratt
Stabenow
Stark
Stenholm
Strickland
Stupak
Tanner
Tauscher
Taylor (MS)
Thompson (CA)
Thompson (MS)
Thurman
Tierney
Towns
Turner
Udall (CO)
Udall (NM)
Velazquez
Vento
Visclosky
Waters
Watt (NC)
Waxman
Weiner
Wexler
Weygand
Wise
Woolsey
Wu
Wynn

NOT VOTING—7

Bilbray
Lantos
McDermott
Mollohan
Peterson (PA)
Reyes
Rodriguez

☐ 1154

Mr. MOORE and Mr. MALONEY of Connecticut changed their vote from ''yea'' to ''nay.''

Mrs. KELLY changed her vote from ''nay'' to ''yea.''

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Mr. ARCHER. Mr. Speaker, pursuant to House Resolution 274, I call up the conference report on the bill (H.R. 2488) to provide for reconciliation pursuant to sections 105 and 211 of the concurrent resolution on the budget for fiscal year 2000, and ask for its immediate consideration in the House.

The Clerk read the title of the bill.

The SPEAKER pro tempore (Mr. KOLBE). Pursuant to House Resolution 274, the conference report is considered as having been read.

(For conference report and statement, see proceedings of the House of Wednesday, August 4, 1999, at page H7027.)

The SPEAKER pro tempore. The gentleman from Texas (Mr. ARCHER) and the gentleman from New York (Mr. RANGEL) each will control 30 minutes.

The Chair recognizes the gentleman from Texas (Mr. ARCHER).

GENERAL LEAVE

Mr. ARCHER. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and to include extraneous matter on the conference report on H.R. 2488.

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

There was no objection.

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

Mr. Speaker, this conference report keeps our commitment to protect the taxpayers and not the tax takers. This Congress has already secured social security, Medicare, paying down the debt. Now we are ready to provide real tax relief.

□ 1200

Mr. Speaker, the American workers have known for a long time that they are caught in a tax trap. The harder they work, the longer they work, the more they pay; and that is not right.

It is their hard work and success that has provided the resources to give Washington a windfall surplus. That is an amount over and above what the government needs to operate. The amount is projected in the next 10 years to be $3.3 trillion.

The question is, Mr. Speaker, what do we do with that surplus? Republicans said strengthening Social Security and Medicare should happen first. We have already done that with the lockbox to ensure that every penny that goes into Social Security and Medicare cannot be spent on any other government programs. We have set aside 100 percent of the Social Security and Medicare surplus to be used only for Social Security and Medicare.

The Archer-Shaw Social Security plan available and publicized in detail has been certified by the Social Security Administration to save Social Security for all time at a cost of only half of that set-aside surplus. So there is plenty of money still there for Medicare.

Out of the surplus, surely we should be able to leave in the pockets of the people who have earned it and provided it one-quarter of the surplus. Twenty-five cents out of every dollar should be left in their pockets. In the meantime, we are paying down the Federal debt.

As has been mentioned earlier, the Congressional Budget Office nonpartisan body has said that the Republican budget pays off $200 billion more of the debt than the President's budget. The Democrats' statements that have been made over and over again are just flat wrong, and they know it. But it serves their political purposes to continue to state it over and over again because it employs fear. They know fear is a very, very powerful motivation with many Americans.

They have put every hurdle in the way of tax relief ever since we came into the majority in 1995. They revelled in their largest tax increase in the history of the United States which they passed on a straight party-line vote in 1993. They fight ferociously to keep money in Washington.

It expresses, I believe, Mr. Speaker, the genuine difference between our parties, generally held, that the Democrats believe Washington knows how to spend the people's money better than the people do themselves.

The President said this in Buffalo, New York, the day after his State of the Union Address when he said, ''We have a surplus. What should we do with it? We might be able to give some of it back to you, but then who would know that you would spend it right.''

So the Democrats say keep it in Washington, and we will spend it. We know better than the people who have earned it. We disagree. We do not think it is Washington's money. We think it belongs to the people who earned it.

After we have done all of these things, of saving Social Security, Medicare, paying down the debt, yes, we can use a part of the non-Social Security surplus for tax relief. If we do not get that money out of Washington, politicians will most surely spend it. They always have.

So I ask the President and my Democratic colleagues to reconsider their staunch opposition to this breath of relief to hard-pressed American families and individuals. Do not mock broad-based tax relief to every income taxpayer in this country, I say to my Democrat colleagues.

Do not discourage marriage by blocking marriage penalty relief. Let us help people caring for elderly relatives at home. Do not stop that. Do not block health and long-term care insurance tax deductibility. Do not stand in the way of pension incentives that will help more men and women enjoy retirement security. Do not block education incentives to make college more affordable and to give parents the ability to save for their children's education beginning in kindergarten through high school and college.

Now, many Democrats say they are for tax relief. In fact, some of them have cosponsored bills to end the marriage penalty. Some of them have cosponsored bills to end the punitive death penalty tax. Some have cosponsored bills to help the pension provisions that are in this bill and to expand IRAs.

I would say to my Democrat colleagues, now is their chance. Do not follow the political path of fear that has been put in their hands by their leaders and which has been articulated over and over again in this debate. Stand with married couples rather than more Washington spending. Stand with the family farms and businesses, and defend the death tax instead of more Washington spending.

In summary, help us protect the taxpayer, not big government and more spending. Because, Mr. Speaker, what this debate is really all about is downsizing the power of Washington and upsizing the power of people.

This is a great bill. I urge its passage.

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

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

Mr. Speaker, I was really moved by the chairman's speech, almost to the extent that I would think that he would think this is on the level here. The theme of this is let us get this money out of Washington before the politicians in Washington spend the taxpayers' money. This is like the theme, ''Stop me before I kill again.''

Mr. Speaker, at the last count, even though it is dwindling, the Republicans are in charge. We cannot stop them. They may kill again. We watch them every day. So we know they are out of control. But do not just say spend the money. Send the money back that they have not got.

Now, first of all, the gentleman from Texas (Chairman ARCHER) said, when the Republicans came into office, they had great ideas. They have been in office and the leadership for 5½ years attempting to pull the tax code up by the roots. Now, the last we saw of the tax code, we cannot get a truck to bring that bill over from the Senate over to the Committee on Rules. It is loaded with fertilizer. So what are they pulling up by the roots?

This is something that they really should not want to go home and campaign on, except if they know it is not on the level, and except if they know it is going to be vetoed, and except if they know that, after they finish all this work, they are not going to take it to the President.

Why would they not put this bill on the President's desk until after Labor Day? Answer: it is not a bill. It is a piece of campaign literature. It is a lobbyist's wish list. It is Christmas in July, and the President is supposed to be the scrooge and veto it and deny the

Republican contributors the things that they wanted to give them.

Give us a break. If my colleagues really wanted a tax bill, they would have found at least one Democrat in the House they could have trusted, one Democrat in the Senate that they could have trusted. They could have brought in the administration for a trillion dollars.

It is not a Republican thing; it is something that we should work with in a bipartisan way. So I am suggesting that my colleagues have taken one big political crapshoot in what they have done, and it is my belief that they are going to pay for this with their campaign bill.

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

Mr. ARCHER. Mr. Speaker, I yield 1 minute to the gentleman from Pennsylvania (Mr. GOODLING), chairman of the Committee on Education and the Workforce.

Mr. GOODLING. Mr. Speaker, I thank the gentleman for yielding me this time.

Mr. Speaker, improving retirement security is one of the top priorities that Congress has this year. Just improving the retirement security by fixing Social Security will not do it.

In this legislation, fortunately, we have 15 provisions from H.R. 1102, which is the Comprehensive Retirement Security and Pension Reform Act that was reported out of our committee in a bipartisan fashion. These reforms will directly improve the retirement security of millions of American workers, particularly low and middle-income American workers.

So I am very pleased that the 60 Republicans and 60 Democrats that cosigned this legislation for pension reform finds that it is part of this very important piece of legislation that we are going to enact today.

I would hope that the President looks thoroughly at the entire bill and understands that there is an awful lot here that will help families in the future to save and to have a decent retirement in their golden years.

Mr. RANGEL. Mr. Speaker, I yield 2 minutes to the gentleman from Maryland (Mr. CARDIN), a member of the committee.

Mr. CARDIN. Mr. Speaker, I want to thank the ranking member for yielding me this time.

Quite frankly, Mr. Speaker, if one looks at this conference report and one supports it, one is going back to the days of large deficits for our country. That is why the Democrats want an economic program that will continue our economic prosperity into the future.

We think, and I think the American public will agree, that the approval of this conference report is reckless, and it is an unreasonable risk for our future.

Let me explain why. The gentleman from Texas (Mr. ARCHER), the chairman of the Committee on Ways and Means, explains that we are projecting a $3 trillion, projecting a $3 trillion surplus over the next 10 years. Now two-thirds of that, approximately $2 trillion is generated because of Social Security. Now we have all agreed we should not touch that money. We cannot use that. We have got to protect it for Social Security, and I agree.

But that gives us a $1 trillion surplus to work with. We have not gotten one dime of it yet. Yet this conference report would spend just about all of that projected surplus. Not a dime would be available for Medicare. No money would be available for the programs that already are being spent by calling them emergency spending.

That is why we believe this is reckless and wrong. We think priorities should be set. The surplus should first be used to preserve Social Security and Medicare. Then we should pay down the debt.

The conference report is estimated to provide the average family in this Nation 10 years from now when it is fully implemented a little over $200 a year in tax relief. But, yet, what the proponents are not telling us, is that because of the recklessness of the bill, interest rates were likely to go up, and we are going to take away more in increased interest costs to the average taxpayer.

I urge my colleagues to reject the conference report.

Mr. ARCHER. Mr. Speaker, I yield 1½ minutes to the gentleman from California (Mr. THOMAS), chairman of the Subcommittee on Health of the Committee on Ways and Means.

(Mr. THOMAS asked and was given permission to revise and extend his remarks, and include extraneous material.)

Mr. THOMAS. Mr. Speaker, I do find it rather curious that this line of argument now comes from the Democrats. In fact, the gentleman from Maryland (Mr. CARDIN), who just spoke, voted for the 1997 tax bill, which clearly we were in a much more serious budget situation.

I think perhaps the situational ethics, that the politics of the situation dictates their rhetoric, their concern about our trying to put a budget together for 10 years and how reckless that is.

Let me go back to January 19 when the President was in this Chamber and said, ''Now we are on course for budget surpluses for the next 25 years.'' No concern from them about looking a decade and a half beyond where we are.

The President went on to say that he is going to dedicate 60 percent of the budget surplus for the next 15 years to Social Security. How reckless is that? We do not know what the next 15 years is going to look like. Republicans put 100 percent away.

□ 1215

We have a plan that will save Social Security forever. The President goes on to talk about Medicare. He has a program to ensure it for the next 15 years. We have a program that does better than that.

The Democrats are now the party of ''I can't.'' Republicans are ''we can.'' We can do this.

Something else is interesting. The last time the Democrats were in the majority, they passed a tax bill that the low rate was 15 and the high rate for the rich folks they are talking about was 28 percent. This bill lowers that bracket on the lower end to 14 and it is 38 percent for the rich people.

When we listen to them, they are arguing politics, not policy.

Mr. RANGEL. Mr. Speaker, I yield such time as he may consume to the gentleman from Missouri (Mr. CLAY).

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

Mr. CLAY. Mr. Speaker, I rise in opposition to this conference report.

I rise in opposition to the conference agreement on H.R. 2488, the Financial Freedom Act.

This bill is the Republican's risky scheme for how they want to help the rich. The majority knows that their only bread and butter issue is tax cuts, whether or not the American people ask for them, whether there is a budget surplus or a deficit, and whether other important tax cuts instead or priorities get squeezed out, such as protecting Social Security, saving Medicare, strengthening education, and paying down the national debt.

The American people won't be fooled. This bill provides very little for the average working family. The bottom sixty percent of Americans by income will only see about 8% of the tax cuts in this bill. Approximately $10 a month. Whereas, the top 10% of Americans will receive almost 70% of the benefits under this bill.

Plain and simple, this bill is one big tax cut for those who need it the least.

I would also like to mention that there are a number of pension provisions included in this bill, some of which are good policy and some which are not. Overall, however, this bill does little to significantly improve the retirement security of working Americans. Our current pension and tax system already favors the well-off. Over 80% of individuals earning over $75,000 a year have tax deferred pension income whereas only 8% of those earning under $10,000 and 27% earning between $10,000 and $15,000 have pension coverage.

I oppose this irresponsible raid on our Federal budget to benefit the wealthy and special interest at the expense of the average working family.

Mr. RANGEL. Mr. Speaker, I yield 1 minute to the gentleman from Massachusetts (Mr. NEAL).

(Mr. NEAL of Massachusetts asked and was given permission to revise and extend his remarks.)

Mr. NEAL of Massachusetts. Mr. Speaker, there are so many reasons to oppose this tax bill it is hard to know where to start.

I have spoken on the floor about the need to save the surplus for Social Security and Medicare. I have spoken about their importance as the premier government programs that keep millions of elderly Americans out of poverty. I have discussed the importance

of deficit reduction and the need to maintain on-budget surpluses in the face of unrealistic budget assumptions.

Every day that goes by, it is more and more clear just how unrealistic these budget assumptions currently are. If we hold this bill until September, it will be as clear as a pie in the face.

The Washington Post this morning has a long article about how Republicans have already spent the on-budget surplus for next year. If we cannot maintain discipline for 1 year, how on earth will we guarantee that surplus for the next 10 years. We cannot.

The Democratic approach here is entirely reasonable. We want to go slow. Let us not repeat the errors of the last 18 years and pass a massive tax bill. Let us be for modest, reasonable tax cuts that become clear when the budget surplus really arrives.

Mr. ARCHER. Mr. Speaker, I yield 1 minute to the gentleman from Ohio (Mr. BOEHNER), another member of the conference committee.

Mr. BOEHNER. Mr. Speaker, I stand in strong support of this historic tax cut, one that will protect Social Security and Medicare and still put some $800 billion back in the pockets of the American people.

Mr. Speaker, while others dwell on the past, Americans look to the future. We strive, we dream, and we sacrifice so that we and our children can have a better future. Our work, our dreams, and our sacrifices have more to do with realizing that than any program that is hatched here in Washington.

That is what this tax bill is really all about, letting the American people keep more of what they earn so that they can make the plans and do the work that will lead to a better future for them and their children. That is why we are lowering marginal tax rates, cutting the capital gains rate, fixing the marriage penalty, and increasing deductibility for retirement savings and health care. It is so our constituents can have the future that they deserve.

I want to commend the gentleman from Texas (Mr. ARCHER) for working with the gentleman from Pennsylvania (Mr. GOODLING) and myself to include important pension reforms introduced in the House by the gentleman from Ohio (Mr. PORTMAN) and the gentleman from Maryland (Mr. CARDIN).

These reforms will directly improve the retirement security of American workers by expanding small business retirement plans, allowing workers to save more, making pensions more secure, and cutting the red tape that has hamstrung employers who want to establish pension plans for their employees. They are important, bipartisan proposals and they will benefit every American worker who is trying to save for retirement.

But I also want to commend him for the much larger package. It returns money that our constituents have earned and that Washington hasn't. That's why we owe it to our constituents to vote for the conference report.

Mr. RANGEL. Mr. Speaker, I yield 2 minutes to the gentleman from New York (Mr. MCNULTY), a member of the committee and my colleague from New York.

Mr. MCNULTY. Mr. Speaker, I thank my leader for yielding me this time.

Mr. Speaker, we will hear a lot of speeches today, and a lot of them are going to sound the same. Mine will be different in one minor respect. I am not going to attack the other side of the aisle. I am just going to ask what I think is a very salient question. Do we not learn anything from history?

In the 1980s, the leaders of this country, in a bipartisan fashion, decided to attack the national budget deficits, and a Republican president proposed and this Democratic House of Representatives adopted a plan which called for a massive tax cut. It was bipartisan. So if there is any blame to go around, there is plenty for everyone.

But I hearken back to the words of President Harry Truman again. Let us look at the record. What happened when we did that? We had the largest budget deficits in the history of the United States of America. In the ensuing 12 years we quadrupled the national debt. All of the debt accumulated in this country from George Washington to Jimmy Carter was quadrupled in a period of 12 years.

So I do not attack the other side today. I just make a very simple plea. Let us not make the same mistake. Let us not do it all over again. Let us pay down the national debt and stop stealing our children's money.

Mr. ARCHER. Mr. Speaker, I yield 1½ minutes to the gentleman from California (Mr. HERGER), a respected member of the Committee on Ways and Means.

Mr. HERGER. Mr. Speaker, I would like to respond to my good friend from New York, his comment on the 1980s, during the Reagan administration, regarding the tax cut. I would like to state the facts during that time. During that time, the tax rates were cut in half and revenues during the 1980s actually doubled. But the then Democrat Congress tripled the spending, so we ended up spending more.

Mr. Speaker, I rise today in support of the Taxpayer Refund and Relief Act. The time has come to allow hard-working Americans to keep more of their money. Mr. Speaker, our plan sets aside three-fourths of the anticipated surplus, 75 cents out of every dollar for Social Security and Medicare.

Now we must take the next step. The legislation before us today provides all taxpayers with broad-based tax relief by reducing tax rates for all income taxpayers, allows parents to save more for educational expenses, and phases out both the destructive marriage penalty and death tax.

Mr. Speaker, let us side with hard-working Americans over Washington bureaucracy. I urge all my colleagues to support the Taxpayer Refund and Relief Act.

Mr. RANGEL. Mr. Speaker, I yield 1½ minutes to the gentleman from Michigan (Mr. LEVIN), a member of the committee.

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

Mr. LEVIN. Mr. Speaker, the truth squad needs to work overtime here. The chairman of the committee has said this bill secures Social Security and Medicare, and a subcommittee chairman said it saves Social Security forever. That is eternally untrue.

Mr. SHAW. Will the gentleman yield?

Mr. LEVIN. No, I will finish, and then I will yield.

Mr. SHAW. That is not true what the gentleman is saying.

MR. LEVIN. It is.

Mr. SHAW. The chairman did not say that.

The SPEAKER pro tempore (Mr. KOLBE). The time is controlled by the gentleman from Michigan (Mr. LEVIN).

Mr. LEVIN. It is untrue. The lockbox saves what is already coming in. It does nothing for the future.

What the Republican bill does is take money from the future to apply it now. Medicare is in jeopardy. It will run out of money in 2015.

The Republicans say give back some of the money. We Democrats are in lower interest rates. The Democratic program is also trying to save some money to assure Social Security and Medicare.

The gentleman from Texas (Mr. ARCHER) said his bill is a breath of relief. What it is in the future is a hurricane of red ink. The Republicans were wrong in 1981, they were wrong in 1993, and they are wrong today. Reject this reckless bill.

Mr. ARCHER. Mr. Speaker, I yield 1½ minutes to the gentleman from Michigan (Mr. CAMP), another respected member of the Committee on Ways and Means.

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

Mr. CAMP. Mr. Speaker, I thank the gentleman for yielding me this time.

Mr. Speaker, I think the challenge here today is to listen and not to mischaracterize. We are talking about tax relief after we have set aside $2 trillion of our budget surplus for Social Security and Medicare. Locked it away. And by doing so, we begin to pay down our national debt.

Today, the question is should we return what is left to the taxpayer or should it stay here and be spent on big government? This bill is tax relief for the American family. Close to 90 percent of the tax relief in this bill goes to families. The average American family pays double in taxes today what they paid in 1985, and that is just too much.

Let me give my colleagues a few examples of how this bill helps families. This bill cuts taxes for every taxpayer. It provides tax relief from the marriage penalty, so couples do not have to pay higher taxes just because they are married. And we kill the death tax. We also increase the adoption credit for parents

with special needs children. We give an extra personal exemption to families caring for an elderly relative in their home. And people can provide more for their retirements in this legislation by saving more in their IRAs and paying less in investment taxes.

This legislation will help American families. Vote for the Tax Refund and Relief Act.

Mr. RANGEL. Mr. Speaker, I yield 2 minutes to the gentleman from Tennessee (Mr. TANNER), a member of the committee.

Mr. TANNER. Mr. Speaker, I want to thank the gentleman for yielding me this time and simply say this. I think the American people are ahead of the Congress on this. I think they know instinctively that we cannot have debt reduction, save Social Security, save Medicare, take 80 percent of a projection over the next 10 years and cut taxes today. It is called a free lunch, a bridge in Brooklyn, or any way we want to paint it. The American people know we cannot do all that and they are ahead of us on that.

The comment was made earlier in the debate about this, that if we keep the money, any of it, the bureaucrats will spend it. The last time I looked, a bureaucrat cannot spend any money unless we have 218 votes on that board. All my colleagues can well remember the government shutdown. Nobody here can spend money or authorize money but us. So what do my colleagues mean when they say if we keep the money the bureaucrats will spend it? That is patently untrue.

The other thing I would like to do is quote one of the leaders of this tax bill today regarding a comment made in 1996. ''It is about our Nation's debt. Our debt stands at over $4.9 trillion then, now it is $5.6 and growing. For a family of four, their share is $72,000, increasing each week by $89, each month by $383, and each year by $4,594. Sometime, some day, someone has to pay that debt, and that someone is today's younger workers, their children and their children's children.''

Now, I asked in a motion to recommit last week just to take half of this projected $1 trillion on-budget surplus and give it to the children. That was rejected. So when we say give it to the people, are kids, nonadults, are they not people too? They are the ones that have to pay this, not us.

Everybody within the sound of my voice under 35 years old ought to insist that we take at least half of it and split it with them. It is the honorable thing to do.

Mr. ARCHER. Mr. Speaker, I yield 1½ minutes to the gentleman from Iowa (Mr. NUSSLE), another respected member of the Committee on Ways and Means. We have tremendous talent on our committee.

Mr. NUSSLE. Mr. Speaker, I appreciate the gentleman yielding me this time.

It is interesting that today we hear lots of slogans on the other side but not one debate point on any provision of this bill. Think about it. They are not against any of the provisions. In fact, they cosponsored half the provisions in this bill.

□ 1230

But not one debate on any provision.

Let us just bring up one, the farm accounts, that came back in the conference report that has not gotten much attention just yet.

What that does, and I appreciate the assistance of the chairman in getting this into the conference report, what that says to farmers who are struggling right now is we want to be able to carry forward some income so that they can spread out the peaks and the valleys of what is happening in farm country right now.

That combined with the death tax relief, the capital gains relief gives a real shot in the arm to American agriculture, who needs it right now.

Now, I understand there are some quotes on the other side about what the leadership said. Let me remind my colleagues of a quote from the Democratic leadership: ''I think we will write off rural America.''

Well, with their vote today they are writing off rural America. If they say no to death tax relief, if they say no to capital gains relief, if they say no to the farm accounts, they are saying to those farmers that are struggling right now that we can spend their money more wisely than they can.

Well, go right ahead. Because, my colleagues, it is not our money. We have not even gotten the check yet from the American people, and they are already claiming it, saying what they do with it. Well, for the last 30 years they spent the Social Security surplus. We do not want them to spend this surplus.

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

Mr. Speaker, I think the gentleman has said it all, we have not gotten the check yet and he is putting out the tax cut.

Mr. Speaker, I yield 1 minute to the gentleman from Texas (Mr. DOGGETT).

Mr. DOGGETT. Mr. Speaker, I would say to the gentleman that we say ''No'' to their chicken manure subsidy, and we say ''No'' to a bill that jeopardizes Social Security and Medicare in order to provide tax breaks to chicken manure producers and many other special interests in this country.

This so-called $3 trillion surplus is nothing but a figment of a Republican political imagination. $2 trillion of this amount simply represents the money that hard-working Americans will be paying into Social Security, and that $2 trillion, as large as it sounds, is not enough to ensure Social Security will be there for future generations of Americans.

Republicans do not provide one new dollar to help Social Security or to help Medicare in this bill. The other trillion dollars is funny money.

The Republicans have already consumed all of this funny money, this projected surplus for next year with the bills that they have under consideration in this Congress. That $1 trillion is as unreliable as a 10-year weather forecast.

But what I really object to is plucking Social Security and Medicare clean in order to provide tax breaks for most every special interest with a PAC and a lobbyist. This is wrong. Reject this bill.

Mr. ARCHER. Mr. Speaker, I yield 1½ minutes to the gentlewoman from Washington (Ms. DUNN), another respected member of the Committee on Ways and Means.

Ms. DUNN. Mr. Speaker, I thank the chairman for yielding me the time.

Mr. Speaker, over the next 10 years, Americans on average, each American, will pay $5,300 to the Federal Government in income taxes, more than it costs to run the government. This is above and beyond the Social Security surplus which we save in a lockbox.

This is a fair tax bill. This bill reverses the Clinton tax increase of 1993 by reducing income tax rates for every single person who pays them and by reducing taxes for lower-income Americans by expanding the 15-percent bracket.

It also will save married couples an average of $1,400 a year by doubling the standard deduction and keeping couples whose combined earnings are up to $5,100 in the 15-percent tax bracket.

Most importantly, Mr. Speaker, it eliminates the death tax. This unfair tax has caused often tragic hardship for families who are trying to build a legacy to pass on to future generations. We should honor the values of the hard work, not tax them.

I call upon the President to help us roll back the 1993 tax increase, which he himself admitted was too much. Join us, Mr. President. Let us do this bill together. Give something back to the American people. It is their money. Give it back.

Mr. RANGEL. Mr. Speaker, I yield 2 minutes to the gentlewoman from Florida (Mrs. THURMAN), a respected member of the Committee on Ways and Means.

Mrs. THURMAN. Mr. Speaker, I thank the gentleman for yielding me the time.

Mr. Speaker, first of all, to answer the questions, we have not written off rural America. For some reason we quit remembering that we gave $275 billion in 1997. We gave capital gains. We gave death taxes. We did education. And we did the family tax relief. It is now time to pay down the debt.

However, what I do not understand and what I am having a hard time today is we could have been having a debate where we would have been on the verge of fixing Social Security. We could have been strengthening Medicare. We could have possibly been providing a drug benefit. But if we were to pass this tax cut and if it was not vetoed, we would be able to do either of these.

While I may disagree with the different Republican Social Security proposals, I applaud them for having the courage to suggest a politically difficult proposal. But today I now know more than ever that they just are not serious about finding a solution.

The reality is that with this tax cut bill they have abandoned any hopes of enacting even their own ideas of how to solve Social Security.

Here is why: the risky tax cut before us today will cost nearly $1 trillion. The Republican Social Security plan requires roughly $1 trillion to fund new private accounts. They will say they have done that. However, this is money already going into Social Security, not new money.

Mr. Speaker, they can do both. The tax cut would use up nearly all of the $1 trillion in projected non-Social Security budget surpluses. Once this money flows out in tax cuts, once it has gone and spent, the only, and I repeat ''only'' surplus left are in the Social Security Trust Fund. The only way to fix Social Security, fix Medicare is by using the non-Social Security surplus.

So today, my colleagues, the Republican leadership has made a choice. It is clear and simple. This is short-sighted and irresponsible.

Mr. ARCHER. Mr. Speaker, I yield 1½ minutes to the gentleman from Georgia (Mr. COLLINS), another respected member of the Committee on Ways and Means.

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

Mr. Speaker, opportunity knocks only once, while temptation will beat the door down.

In 1995, the President and I were at Warm Springs, Georgia, the Georgia home of F.D.R., friend of the little man.

As the President and I were departing company that day, I looked at him and I told him, ''Mr. President, I want to leave you with one particular thought. That is, we must look after the little man. Because the big man can take care of himself. But every now and then, you have to give the big man just a little something so he will help the little man.''

He was nodding his head in agreement. I said, ''Mr. President, that is our tax bill.''

That was the 1995 tax bill. He vetoed that tax bill. He missed his opportunity, because that veto ended that tax bill.

This tax bill today that we are dealing with targets American workers, American families, and American business, American business that provides the jobs for American workers and American families.

I ask my colleagues to resist the temptation of a Clinton-Gore veto looking for another day. Do not miss the opportunity to give tax relief to the American worker and the American family and the American business.

Mr. RANGEL. Mr. Speaker, I yield 1 minute to the gentlewoman from Connecticut (Ms. DELAURO).

Ms. DELAURO. Mr. Speaker, I thank the gentleman for yielding me the time.

This is an irresponsible special-interest tax giveaway. It is a tax cut for the wealthiest corporations and Americans that is paid for by the middle class. It reflects the upside down values of this Republican-led Congress and does not reflect the values of American families. It is risky. It threatens our economic progress. And it does not pay down the national debt.

Tax cuts are a priority for those that support middle-class families who need a tax break. If we take a look at this chart, the family that makes under $30,000 a year gets $278 in the tax break and the family that makes $837,000 a year gets a $46,000 tax break. Where is the equity in that?

This plan jeopardizes Social Security and Medicare to pay for special-interest tax breaks. Corporations can write off a three-martini lunch. And there is even a tax credit for burning chicken manure. A chicken manure tax break.

Where are our priorities, Mr. Speaker? Hundreds of millions of dollars to chicken manure farmers but chicken feed for the rest of us.

Vote ''no'' on this conference report.

Mr. ARCHER. Mr. Speaker, I yield 1½ minutes to the gentleman from Pennsylvania (Mr. ENGLISH), another respected member of the Committee on Ways and Means.

Mr. ENGLISH. Mr. Speaker, I thank the chairman for the opportunity to rise in strong support of the taxpayer refund and relief act.

Let me say, I have trouble believing some of the arguments I am hearing on the other side. Tax cuts for the wealthy, special-interest legislation. This is much-needed tax relief that provides tax relief for virtually every American household and in many ways and especially for the middle class.

For example, it makes the dream of higher education more accessible for millions of students in the struggling middle class. This legislation makes college more affordable by extending tax breaks on student loans, by permitting private universities to offer tax-deferred, prepaid tuition plans, and by exempting the earnings of all tuition plans from taxation.

It also eliminates the 60-month limitation on student loan interest deductions. This is critical to college graduates struggling to pay off student loans as they begin their careers, and it extends the tax exclusion for employer-provided tuition assistance.

This is important legislation to make education more affordable; yet we have heard the demagoguery on the other side.

I hope that my colleagues are persuaded that this is legislation that provides middle-class tax relief where and when it is needed at a time when we are clearly running a surplus, yet setting aside the needed resources to put Social Security on a sound footing and save Medicare.

We have done it. It is time for a tax break for the middle class.

Mr. RANGEL. Mr. Speaker, I yield 1 minute to the gentlewoman from Missouri (Ms. MCCARTHY).

(Ms. MCCARTHY of Missouri asked and was given permission to revise and extend her remarks.)

Ms. MCCARTHY of Missouri. Mr. Speaker, I thank the gentleman for yielding me the time.

Mr. Speaker, I would like to vote for a tax bill, but I cannot vote for this one. It is too risky. It is fiscally irresponsible. It does not help the families who really need tax relief. They will end up with less money in their pockets and pay higher interest rates.

Our priority should be to retire the debt so we do not put America's economy at risk. Who does it help? The special interests, like foreign oil. Foreign oil and gas interests get a tax credit in this bill that will cost the American taxpayers more than $4 billion. That is right, $4 billion.

A family of four earning $50,000 gets a $265 tax cut. That is just about $20 a month in their pockets.

Mr. Speaker, this bill is a grab bag for special interests. I am for tax relief, but we need to do it right. Vote against this report. Go back to the conference table and produce a prudent measure that will put money in the pockets of working families, not foreign oil interests.

Never mind we have spent two decades trying to reduce our dependency on foreign oil so we will never again experience those high prices and long gas lines at the pump like we did in the 1970s.

Mr. ARCHER. Mr. Speaker, I yield 1½ minutes to the gentleman from Arizona (Mr. HAYWORTH), another respected member of the Committee on Ways and Means.

Mr. HAYWORTH. Mr. Speaker, I thank my good friend from Texas for yielding me the time and for his leadership on the Committee on Ways and Means.

Well, despite the pledge not to engage in name-calling, we have heard it again from my dear colleague from Missouri. We even heard claims about chicken manure from my friend from Connecticut and my other friend from Texas. It is interesting where the chicken manure really resides here on the floor of the Congress.

I just think there is a simple fact we need to point out. The $3.3 trillion in the surplus, for every one of those dollars, this is what we are prepared to do: take 75 cents of that dollar and lock it away to save and strengthen Social Security and Medicare and pay down the $5-trillion debt hanging over the heads of our children. It leaves a quarter. Nothing risky, nothing irresponsible about giving the American people back their hard-earned money.

For my friends on the left who fancy themselves champions of the working

people, here is the challenge: join us with this bill. Because included in it is much needed tax relief for the inner cities, for Indian reservations, to inspire savings, to offer help for business start-ups, to help those families who feel the brunt of economic pain.

I challenge my friends on the left to join with us, adopt the conference report, real tax relief.

□ 1245

Mr. RANGEL. Mr. Speaker, I yield 2 minutes to the gentleman from Wisconsin (Mr. KLECZKA) a respected member of the Committee on Ways and Means who, too, was excluded from the conference. I might add that all respected Democrats were excluded.

(Pursuant to a subsequent order of the House by unanimous consent of Mr. KLECZKA, the remarks of Mr. KLECZKA have been deleted.)

Mr. ARCHER. Mr. Speaker, I yield 1½ minutes to the gentleman from Illinois (Mr. WELLER) another respected member of the Committee on Ways and Means.

Mr. WELLER. Mr. Speaker, today we are taking another step in our effort to balance the budget for the third time in 3 years. We are taking the step where, of course, earlier this year we set aside $2 trillion of the projected surplus for saving Social Security and Medicare. I would point out in our balanced budget that for every $6 in debt retirement over the next 5 years, we provide $1 in tax relief and that over the next 10 years that pays down $2.2 trillion of the national debt, which is 10 percent more than the Democrat proposal to retire the debt.

I rise in support of this legislation for a particular reason. I have often asked the question over the last several years and, that is, is it right, is it fair that under our tax code a married working couple pays more in taxes just because they are married? Is it right, is it fair that 28 million married working couples pay more in taxes just because they are married than an identical couple living together outside of marriage?

Let me introduce Shad and Michelle Hallahan, two public school teachers in Joliet, Illinois. When they chose to get married in the last couple of years, they discovered something. They now pay higher taxes just because they got married, similar to 28 million married working couples throughout America. Michelle, by the way, is due any day to have a baby. She notes that their marriage tax penalty, which is just over $1,000, will provide 3,000 diapers for the Hallahan family. Those who oppose our efforts to eliminate the marriage tax penalty would much rather spend those dollars here in Washington.

Mr. Speaker, this deserves bipartisan support. I ask for bipartisan support.

Mr. RANGEL. Mr. Speaker, I yield such time as he may consume to the gentleman from Texas (Mr. EDWARDS).

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

Mr. EDWARDS. Mr. Speaker, on behalf of my children and all children in America, I rise against the risky, budget-busting, trillion-dollar tax cut.

Mr. RANGEL. Mr. Speaker, I yield such time as he may consume to the gentleman from Tennessee (Mr. CLEMENT).

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

Mr. CLEMENT. Mr. Speaker, let us sustain economic growth. Vote ''no'' on the Republican tax package.

Mr. Speaker, this tax cut is simply too large. It spends almost all of the projected on-budget surplus for the next 10 years.

My colleagues on the other side of the aisle have locked on to the quote by Senator KERRY in which he said that in an era when we have a budget surplus of $3 trillion, it is not unreasonable to pass a tax cut of $1 trillion. What they don't tell you is that $2 trillion of that supposed surplus is Social Security money, which both sides have agreed should be set aside solely for Social Security. That means that money is off the table. So, if you set aside $2 trillion for Social Security and pass a tax cut of $1 trillion, how much does that leave for Medicare, debt reduction, veterans health care, the National Institutes of Health, and other important domestic programs? It's simple math: 3–2–1=0.

The leadership in this body is in a big hurry to pass this conference report on a tax scheme they know has no chance of going anywhere so they can go home for a month and tell their constituents what they accomplished for them. Of course, they're not in quite as big a hurry to send it to the president. They don't want the president to rain on their parade by vetoing their wonderful bill before they have a chance to convince people how wonderful it is. What they don't realize is that the American people already know that this irresponsible tax cut is a bad deal. When asked what we in Congress should do with this surplus, the American people have consistently said ''save Social Security, save Medicare, and pay down the national debt.''

Let's defeat this ill-conceived, irresponsible tax scheme and get to work on a real tax relief package that will provide relief to those who need it while still allowing us to fulfill our obligations to pay down the national debt, save Medicare and Social Security, and adequately fund important domestic programs that millions of Americans rely on.

Mr. RANGEL. Mr. Speaker, I yield such time as he may consume to the gentleman from Texas (Mr. GREEN).

(Mr. GREEN of Texas asked and was given permission to revise and extend his remarks.)

Mr. GREEN of Texas. Mr. Speaker, I rise in opposition to H.R. 2488, the so-called Financial Freedom bill. I only wish it were so.

In reality, this bill should be called the Medicare and Social Security elimination act—because it irresponsibly spends the projected budget surplus without committing a single penny to the future of those programs.

The decisions the majority have made will ultimately hurt the very people they say they want to help—the American people—by forcing through a tax scheme that place our nations economy at risk in the future.

The fundamental problem with this bill is that it bets the future of Medicare and Social Security on economic projections ten years away. If we spend the money today, almost 80% of the projected surplus, on this risky tax scheme, what will happen if the projections fall short?

Ten years ago, not a single economist could have predicted how strong our economy is today and has been over the last five years. As best they try, it is a very inexact science.

In fact the Congressional Budget Office, whose numbers the majority is relying on, has been off by billions of dollars on even one year projections. Now they want to bet the farm on projections over ten years.

If this bill becomes law, there will be an insufficient amount of money left over to ensure the long term stability of Social Security, Medicare, other programs such as veteran's health.

Now don't get me wrong, there will be enough there to take care of today's beneficiaries.

But without dedicating portions of the surplus to Medicare and Social Security today, we will force our children and grandchildren to either pay higher taxes or receive significantly lower benefits tomorrow.

You just can't have it both ways—as much as everyone here would love to eliminate taxes completely, and believe me I would, it just isn't the responsible thing to do.

Antoher major problem with the Republican scheme is that it fails to provide any money to pay down our national debt. If this bill becomes law, interest rates on car loans, mortgages, and credit cards could rise.

Our nation's debt is finally going down—but if we follow the plan of the republicans, it will go right back up and fall squarely on the shoulders of our children and grandchildren.

We need to reject the Republican's risky scheme, because it could balloon the debt, send us back to huge deficit spending.

We need to do the right thing and wait for the money to become real, see how much is there, and then decide where it needs to go—and at that time, tax cuts should and would be included in that formula.

Mr. RANGEL. Mr. Speaker, I yield such time as he may consume to the gentleman from Wisconsin (Mr. KIND).

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

Mr. KIND. Mr. Speaker, I rise in opposition to this conference report.

Mr. Speaker, I rise today in opposition to the conference report on H.R. 2488. This is a very serious debate about a serious piece of legislation. If this tax cut were to pass and actually be signed into law, it would set the course of fiscal policy for the next several decades in this country.

And I don't get it. When a family in western Wisconsin enjoys good times, they see it as an opportunity to take care of existing obligations first. For the Federal Government, this should mean paying down the $5.7 trillion national debt and shoring up Social Security and Medicare for future generations.

What this legislation proposes, however, is the equivalent of my wife Tawni and I going into our local bank and telling our bank officer, ''Yes, we know we have a mortgage and a car loan and credit card payments. But we would like to restructure those debts so we can enjoy some additional money now and shift these

debt obligations onto Johnny and Matthew, our 3-year and 1-year-old sons.'' We would get laughed out of the bank if we said that. I didn't come to Congress to leave a legacy of debt to my children and mortgage their future with an act of such irresponsibility. That's why I oppose this riverboat gamble of a tax cut.

A short time ago, before former Treasury Secretary Robert Rubin retired, I had the opportunity to ask him what he felt we, as policymakers, should do to ensure the prosperity of our nation in the next century. His response was two-fold—first, we should pay down the $5.7 trillion national debt, and second, we should not shortchange our investments in education. This legislation fails both of these goals. This tax cut proposal also ignores the words of Federal Reserve Chairman Alan Greenspan, who has repeatedly testified before us in Congress that the first, best use of any budget surplus is to reduce the debt.

An emphasis on debt reduction would provide real tax relief to all American families, not just the top 1 percent who receive the bulk of the benefits of this proposal. A lower national debt would benefit everyone by lowering interest rates. Families who make mortgage, car, credit card, and other loan payments would realize tremendous cost savings, and businesses would be able to invest at lower cost, create jobs and increase productivity. Finally, lowering our national debt would be fair to future generations who would otherwise have to repay an obligation they did not create.

A vote today against this legislation is a vote for fiscal responsibility and fiscal sanity. It is a vote for our children's future, and for continued economic growth and the promise of prosperity for our kids. I urge my colleagues to vote against this bill.

Mr. RANGEL. Mr. Speaker, I yield 2 minutes to the gentleman from Texas (Mr. FROST), chairman of the Democratic Caucus.

Mr. FROST. Mr. Speaker, as we are all aware, the chief complaint of the right wing of the Republican Party over the past few years has been that their leadership lacked real commitment to the core right-wing principles of their conference.

Well, today, Mr. Speaker, the Republican right wing should be pleased, because the true believers have asserted their control over this Republican Congress. Today, the Republican Congress makes its priorities crystal clear. Today, the Republican Party plainly states its commitment to risking Social Security, Medicare and our economy on fiscally irresponsible, budget-busting tax breaks for the wealthiest that could cost us $1 trillion over the next 10 years.

Why, Mr. Speaker, would Republicans risk exploding the deficit once again, driving up interest rates and hurting an economy that is the envy of the world? Do Republicans believe that Americans want their mortgage payments to go up? Do Republicans believe that Americans want their credit card bills to go up?

Mr. Speaker, I have pointed out before that the record of the Republican Congress makes clear their belief that Congress' only job is providing red meat for the right-wing extremists controlling their party. Why else would they insist on squandering the surplus on tax breaks for the wealthiest and refuse to devote even a few dollars to saving Medicare?

Nothing speaks more clearly to the priorities of this Congress. Just 16 years from now, Medicare faces a death sentence, but Republicans refuse to use a dime of the surplus to delay that execution by even a day.

Mr. Speaker, Democrats support fiscally responsible tax cuts, targeted to the middle class, but we cannot support risking Social Security, Medicare and the economy. I urge defeat of this bill.

Mr. ARCHER. Mr. Speaker, I yield 1½ minutes to the gentleman from Ohio (Mr. PORTMAN), another respected member of the Committee on Ways and Means.

Mr. PORTMAN. Mr. Speaker, I thank the gentleman for yielding me this time. I want to start by commending him for his determination and vision in moving this tax relief proposal to this point.

There are a lot of great provisions in the bill before us today. They have been focused on by others, eliminating the marriage penalty, expanding everybody's opportunities to achieve a good education for themselves and their children, helping Americans afford health care for themselves and for their elderly family members.

I want to focus for a moment on the retirement security provisions. The Financial Freedom Act before us today contains the most comprehensive reforms of our pension laws since ERISA was passed 25 years ago.

By strengthening 401(k)s for all Americans, by strengthening defined benefit plans, the traditional plans and other plans, by allowing workers to save more in their pensions, save more in their IRAs, by making pensions portable so workers can take them from job to job, by providing a catchup for workers over 50 years old, by modifying section 415 to help union workers to be able to have a better multi-employer plan, by doing all these things, we allow all Americans to save more for their own retirement, to have more peace of mind in their own retirement, and we are going to allow millions of American workers who do not currently have any kind of a pension at all, that is half of our workforce, to be able to come into a system where they have a pension, to be able to provide in their retirement years for their own retirement security.

This, Mr. Speaker, is why this bill makes sense for the American people, why this bill is going to be supported today. I urge the President to sign it.

Mr. RANGEL. Mr. Speaker, I yield 30 seconds to the gentleman from Arkansas (Mr. BERRY).

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

Mr. BERRY. Mr. Speaker, we all want tax cuts. Let us not spend money that does not exist. When we have some surplus, let us reduce the debt, save Social Security and Medicare, get our priorities straight. Let us not create another $5 trillion debt to burden our children and grandchildren.

I urge my colleagues to vote against this conference report.

Mr. RANGEL. Mr. Speaker, I yield 2 minutes to the gentleman from Maryland (Mr. HOYER).

Mr. HOYER. I thank the gentleman for yielding me this time.

Mr. Speaker, I was here in 1981 when we cut $749 billion in revenues. Those on this floor represented that this would be a great step forward. Howard Baker, the then majority leader of the United States Senate, said, no, that it was a riverboat gamble. It was, Mr. Speaker, a riverboat gamble that we lost. We quadrupled the national debt. Now, that is a nice phrase, but what does it mean? It means we plunged the children of America deeply into debt, because we did not provide for the spending that our generation votes for.

Let us not take this risky step again. Let us not put at risk the solvency of Social Security. Let us not put at risk the vitality of Medicare. Let us not put at risk the defense of this Nation. My Republican colleagues talk about just taking $1 trillion of $3 trillion. $2 trillion is in a lockbox for Social Security, they say. But the appropriation bills we have been passing belie that lockbox theory because we are about to spend that Social Security revenue.

My friends, reject this risky, riverboat gamble. Ensure that our children's security is safe. Do not again go on the path of quadrupling the national debt. Rather, let us be fiscally responsible, target tax cuts, give relief to Americans who are most in need, working Americans, Americans with children who need care, Americans who are sending children to school. Do not take this risky road to further debt and unsureness.

Mr. ARCHER. Mr. Speaker, I yield 1 minute to the gentlewoman from Texas (Ms. GRANGER).

Ms. GRANGER. Mr. Speaker, I rise today in support of the Taxpayer Refund and Relief Act of 1999. I want to commend the gentleman from Texas for leading the way to the future by lowering the taxes on our people. The gentleman from Texas will be dearly missed if he leaves us after this Congress.

This bill represents tax relief of $792 billion over the next 10 years, including the elimination of the marriage penalty, 100 percent deductibility for the health insurance of the self-employed, and lowering the capital gains tax.

But this bill is not really about numbers and figures or phase-ins and credits. This bill is about the American people, their hopes for the future and their dreams for their children.

To that end, I want to thank the gentleman from Texas for including in this package my legislation to encourage both public and private colleges to establish prepaid college tuition plans.

These plans allow parents to begin paying for tomorrow's college education at today's tuition prices.

This legislation will allow middle-class families to pay for college out of savings instead of paying for it out of debt. This will make a college education more affordable for more people. I thank the gentleman from Texas for including this in his legislation.

Mr. RANGEL. Mr. Speaker, I yield 2 minutes to the gentleman from Michigan (Mr. BONIOR), our distinguished Democratic whip.

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Mr. BONIOR. Risky. Dangerous. Deceptive. That is what this Republican bill is. Instead of building on the strongest economy in a generation, they would roll the dice. They would take $1 trillion. They would slap it down on the table, they would spin the wheel, and hope for the best.

What they are doing is playing Russian roulette with the whole U.S. economy. And it is our money they are gambling, our Social Security, our Medicare, our education, our future.

The Republicans say their tax plan will benefit the average American, that it will put money back into their pockets. But if you look at the numbers, the truth comes out.

Under their plan, a family that makes $52,000 a year gets a tax cut of about $11 a week. The super-rich, the people who pull in more than $300,000 a year or more, the Republican plan gives them $127 a day, $900 a week, $46 thousand a year. So when you compare the numbers, those who really need tax relief, they get chump-change, and those, of course, who do not, get a brand new Cadillac.

After the party is over, what then? What is the long-term cost to the American family? Higher interest rates on our credit cards, on our mortgage payments, on our car loans; higher interest rates and payments on the national debt, which already cost the average American family $2,000 a year; and a higher probability that Social Security and Medicare will not be there when Americans need them.

This Republican plan is risky, it is dangerous, and it is deceptive. We need to pay down the national debt, not to drive it up. We need to take care of first things first, Social Security, Medicare, education. Let us address these national priorities first, and then cut taxes; and, when we do, let us get it to the middle-income people in this country, and not the super-rich.

We need to invest in the future, not gamble it away. This Republican plan is risky, it is wrong, and it will wreck the economy.

Mr. ARCHER. Mr. Speaker, I yield 30 seconds to the gentleman from Louisiana (Mr. MCCRERY), a respected member of the Committee on Ways and Means.

Mr. MCCRERY. Mr. Speaker, I was not going to talk on the conference report today, I spoke on the bill when it was on the floor earlier, but I got tired of hearing some Democrats say that we were jeopardizing Social Security and Medicare by giving a tax cut to the American people. That is just not true.

The gentleman from Texas (Mr. ARCHER) and the gentleman from Florida (Mr. SHAW) had a Social Security plan that is fleshed out and demonstrates clearly that we only need $1.2 trillion of the almost $2 trillion Social Security surplus to solve the Social Security problem. That leaves $700 billion with which to pay down the debt, to help fix Medicare. Speaking of Medicare, what we do not need is to throw more money at it. We need fundamental reform. We also have a plan for that.

Mr. ARCHER. Mr. Speaker, I yield such time as he may consume to the gentleman from Minnesota (Mr. RAMSTAD).

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

Mr. RAMSTAD. Mr. Speaker, I rise in strong support of this important tax relief bill for America's families.

Mr. Speaker, as a member of the Ways and Means Committee, I have seen firsthand the excellent leadership of Chairman ARCHER in putting together this package that will bring meaningful relief to millions of over-burdened taxpayers who deserve to keep more of what they earn.

This is broad-based tax relief that makes sense. This conference agreement promotes issues that people care about most—fairness for families, education, health care, retirement savings, growing jobs and being able to pass farms and businesses on to the next generation.

I want to highlight two provisions of this legislation I authored. Although these items will cost very little in terms of federal revenue, they send a powerful statement about the level of fairness in this bill.

The first provision is based on legislation I introduced to provide relief to volunteer drivers for charities. This common sense change will dramatically improve the ability of charities to attract volunteer drivers to serve vulnerable people.

As many charities in my home state have told me, a volunteer reimbursed for mileage expenses has taxable income if the reimbursement exceeds 14 cents per mile, even though an employee performing the same function could be reimbursed at 31 cents per mile.

This creates a significant disincentive for people considering volunteering for food delivery programs, patient transportation, and other services which rely on volunteer drivers. There have been examples of volunteer drivers being audited and subjected to back taxes, penalties and interest because of unreported volunteer mileage reimbursement, even though the reimbursement did not exceed the allowable business rate and the dollar amounts are quite small.

This bill will codify relief to reimbursed volunteer drivers if the amount of their reimbursement is less than the business mileage rate. This solution will allow America's charities to attract the volunteers they need to for critical services like transporting elderly patients to the doctor and food to the hungry.

The second provision I offered as an amendment in committee. It ensures consistent tax treatment of survivor benefits received by families of public safety officers killed in the line of duty.

Survivor benefits of public safety officers slain in the line of duty are currently tax-free for the wives, husbands and children who are left behind, but only if the officer died after December 31, 1996. This means that the survivor benefits of families who lost a loved one before January 1, 1997, are still subject to tax. I see no sound tax policy reason for this discrimination. This bill corrects this inequity and will allow all families of slain public safety officers to enjoy the same tax relief.

Nothing can compensate for the loss of those who pay the ultimate price by giving their lives for their communities. However, this bill will provide tangible help to the families of our slain heroes.

These are only two examples of the many provisions in this package that will improve the lives of Americans in very real ways.

I urge my colleagues to support this tax relief package for American families. We have already set aside the portion of the surplus needed to save Social Security and Medicare. Now, we need to return a portion of the tax overpayment to the families who earned it. If we don't, Washington will surely find a way to spend it.

Mr. RANGEL. Mr. Speaker, it is my distinct honor to yield the balance of my time to the gentleman from Missouri (Mr. GEPHARDT), the minority leader.

The SPEAKER pro tempore (Mr. KOLBE). The gentleman from Missouri is recognized for 5 minutes.

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

Mr. GEPHARDT. Mr. Speaker, I want to address my comments to American citizens all over the country and to ask them a simple question, and that is, do they do better with the Republican plan that is on the floor today, or would they do better our Democratic plan, which is much less revenue cost, but a tax cut that is more targeted to middle-income families?

If one looks at the Republican plan, it offers a family of four earning $50,000 a year about a $278 a year tax cut. In other words, their taxes would be reduced by about, to make it rough, $280 a year. That comes out to about 76 cents a day. That would not even buy a cup of coffee in most of our modern coffee houses.

On the other hand, the Democratic tax cut would have had an impact on the real budgets of middle-income families. We wanted to provide a $1,000 credit for a family trying to take care of a disabled parent who they were trying to keep at home or a $500 credit for parents who care for an infant at home. In other words, for ordinary families, we could have done a tax cut today that would really have an impact on their lives, not just 76 cents a day.

But it is also worth noting that the real expense cut that we ought to be talking about today is what getting rid of the deficit would do for ordinary

American families. The Research Director for the Concord Coalition put it well. He said debt reduction is a tax cut for future generations.

We now pay $218 billion a year at the Federal level on interest on the national debt every year. That is $900 for every man, woman, and child who lives in the United States. Eliminating that debt could put that money back in their pockets or certainly allow us to do some things with Medicare and Social Security that would put money into their pockets in the future. This is a fundamental decision we are having to make. If we could get that debt down, it would hold interest rates down.

Let us talk about the family out there that has maybe a $100,000 mortgage on their house right now. If we could lower interest rates by 1 percent or, maybe to put it another way, hold them where they are and not let them go up from where they are now, that could be $1,200 a year that goes right into that family's pocket because we have not gone with this risky tax cut that puts in jeopardy the financial wherewithal of that family of four that is trying to pay off that mortgage. This is not even talking about credit card debt and auto loan debt that they have to pay.

The big tax cut that we ought to be talking about is holding interest rates down so that family out there does not face higher interest rates.

Let me end with a story. When I was a young kid, my mom and dad told me that if I do chores around the house, they would give me an allowance. Usually a quarter or two is what I would earn, carrying out the trash, doing the dishes, cooking dinner, sometimes even cleaning up the basement.

My mother used to always say to me, because she would give me the quarters, usually two quarters, 50 cents, she would always say, ''Dick, those quarters are burning a hole in your pocket.'' Because what I loved to do with those quarters was go up to the corner confectionery and buy a Mars Bar. I loved Mars Bars, it had that soft marshmallow center, chocolate; and I loved to buy baseball flip cards. That is what I really wanted to do. Sure enough, whenever I would get those quarters, I would run up to the corner confectionery and blow all my money and get that Mars Bar that had that soft marshmallow center and buy those flip cards. Instant gratification is what I was looking for.

She used to always say to me, ''If you would save those quarters, maybe you could buy that ball glove you have been talking about or that bicycle you wanted to buy, and that would even be better, if you would save for the future so you could really do something important.''

This is the very same decision we face today as a country. Do we want instant gratification, do we want to hand out candy bars, make people feel good right now with, again, 76 cents a day for that average family, or do we want to save money, pay down the debt, keep interest rates down, give a targeted tax cut that would really mean something to hard-pressed middle-income families? That is the choice we have today.

I urge Members to reject instant gratification and to save this money for the future, pay down the back debt of this country, save Social Security and Medicare, give a targeted tax cut that will really help middle-income families, and do the right thing for the future and future generations of this country.

Mr. ARCHER. Mr. Speaker, I yield the balance of my time to the very respected and distinguished gentleman from Florida (Mr. SHAW), the chairman of the Subcommittee on Social Security of the Committee on Ways and Means.

The SPEAKER pro tempore. The gentleman from Florida is recognized for 4½ minutes.

Mr. SHAW. Mr. Speaker, I thank the gentleman for yielding me this time, and I want to compliment him and those on the staff and members of the Committee on Ways and Means and the other committees for crafting as near a perfect tax bill as I have seen in the years I have been in Congress.

Mr. Speaker, the minority leader just spoke of targeted tax cuts for people who really need it. Let us talk for just a moment about who really needs the tax cuts in this country. Let us see who we should exclude from that category.

Americans who care for their elderly family members at home, with an additional exemption in this bill of $2,750. What is wrong with that?

We allow parents to save up to $2,000, rather than only $500, in Education Savings Accounts. What is wrong with that?

We eliminate the 25 percent contribution limit on pre-tax salary to 401(k)s. Saving for one's retirement, what do you have against that?

Reducing the capital gains rate by a small percentage, but saving it so that Americans can invest for their future, why are you against that?

Allowing Americans who purchase their own health insurance to deduct 100 percent of the premium, who can be against that?

Cutting the marriage penalty. We now penalize people when they get married where you have got two earners in the family. What in the world can somebody be against in cutting that back, cutting that penalty back?

Permitting private colleges and universities to establish prepaid tuition programs for parents of prospective students. Currently only public universities are allowed to do this. We extend that to private universities. Who could be against that?

Reducing the individual income tax rates for all American taxpayers. That is something we should all be for.

Allowing Americans who purchase long-term care insurance, we allow them to deduct the full amount of their premiums from their taxes. That is something we should encourage, and we encourage it by allowing the deduction.

Phasing out the death tax. The death tax is the biggest destroyer of American farms and American businesses in this country today. It is an evil tax that should be eliminated, and this bill would phase it out over a period of time.

Student loans. Right now when you get a student loan, you can only deduct the interest that you pay for 5 years. After that it is not deductible. I can tell you from the young people who work in my office that I have talked to, this is a very important part of their income, and they should be able to at least deduct it. This is important.

Mr. Speaker, during this debate we have heard a lot about Social Security. Interestingly enough, and I have kept score, I do not believe that one person who stood up here and said that we are going to do nothing about Social Security has any inkling how to solve the problem, and, if they do, they have not come out and put that down.

The gentleman from Texas (Mr. ARCHER) and I and the Committee on Ways and Means and many of us are working together and reaching out to Democrats in order to be able to do precisely that. We have come up with a plan that does precisely that, and it saves Social Security for all time. Very shortly, that plan will be going to some type of a markup, and I look forward to that. We will continue to reach out across the aisle to the Democrats.

But I can tell you right now, and I think the American people should hold all of us to this standard: Do not talk about saving Social Security on the floor of this House unless you are ready to step forward to do it.

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Sitting back and doing nothing will do nothing to save social security for our seniors and for our kids and for our grandkids. It is time that we stop this rhetoric, and we go forward and work together in a powerful way to save social security.

The Republicans now are reaching out to the Democrats. Join with us. Let us do this before the end of the year, and before this Congress goes out for our November-December break. Let us come back and work together and save social security.

Mr. COYNE. Mr. Speaker, I rise in opposition to this misguided legislation. This legislation has many serious shortcomings, but given my limited time, I will mention just three.

This bill is paid for with a surplus that doesn't yet exist and which is based upon economic projections that have proven wrong in the past.

This bill would disproportionately benefit the richest people in this country—instead of the working- and middle-class families who deserve relief the most.

And this bill would cut taxes before we've reduced our massive national debt or ensured

the future stability of Social Security and Medicare.

Enactment of this tax bill would put us right back where we were six years ago, with projected deficits as far as the eye can see—and with a national debt that is growing rather than shrinking.

I urge my colleagues to join me in opposing this unwise legislation.

Mr. SANDLIN. Mr. Speaker, I have heard my friends on the Republican side talk about how their budget sets aside $2 trillion of the $3 trillion projected surplus for debt reduction. While this certainly sounds appealing to those of us who have been talking about the importance of paying off the national debt, the facts just don't match the rhetoric.

My Republican friends neglect to point out that they are double-counting the Social Security surplus in order to claim that they are reducing the debt. This body has overwhelmingly voted to exclude Social Security surpluses from budget calculations. These surpluses are essential to meet future obligations to Social Security. Evey Member of this body, Republican and Democrat alike, have said that Social Security surpluses should only be used for Social Security, and should not be counted for any other purposes. But despite all of the rhetoric about Social Security lockboxes and taking Social Security off-budget, some folks on the other side of the aisle keep counting the Social Security surpluses when it suits their purposes.

Using the Social Security surplus to reduce debt held by the public simply offsets the increased debt held by the Social Security trust fund. If all we do is save the Social Security surplus, we won't reduce the total national debt by one dime, and we will have done nothing to reduce the burden we leave to our children and grandchildren. In fact, despite all of the rhetoric from the other side of the aisle about saving money for debt reduction, the total national debt will increase by $200 billion over the next five years under the Republican budget.

The truth is, they don't want the American people to know the consequences of their massive tax cuts. They don't want them to find out that, if we want to be fiscally responsible and stay within the spending caps we agreed to in the 1997 budget, passing their tax cut will require a 38% reduction in spending on important programs—programs like FEMA, class size reduction, and law enforcement. Both parties agree that defense spending needs to increase if we want to preserve military readiness, but if the Republicans pass their tax cuts, our military will suffer as well. While these important programs that benefit ALL Americans will have to be cut, TWO-THIRDS of the tax cut will benefit only those people who fall in the top income tax bracket.

The fiscal irresponsibility does not stop there. The new trick in Republican accounting books is the ''emergency'' spending designation being used to bypass the spending caps. They have even resorted to calling the 2000 census an ''emergency''—an outrageous claim considering that the Constitution requires a census every ten years! This ''emergency'' spending comes straight out of the ''projected'' surplus Republicans want to use to finance their tax cut.

This creative accounting is unacceptable. I am a strong advocate of a sound budget and fiscally responsible tax cuts, but the best tax cut we can give the American people is a promise we will first pay down the national debt by setting aside some of the true surplus—the non-Social Security surplus. The Blue Dogs have put forward a proposal that would lock up half of the true budget surplus to pay down the national debt. This approach will truly reduce the burden on future generations.

I am proud to be an original co-sponsor of this legislation. The Blue Dog's Debt Reduction Lockbox bill would save 100% of the Social Security surplus by requiring that the budget be balanced EXCLUDING the Social Security surplus. It also helps ensure a fiscally responsible budget by establishing a point of order against any budget resolution that contains a on-budget deficit or any legislation that would result in an on-budget deficit and would prohibit OMB, CBO and other federal government entities from including the Social Security trust fund as part of budget surplus or deficit calculations.

While the Republican tax cut bill's debt reduction provisions are merely a rhetorical gesture at best, the Blue Dog bill delivers on debt reduction. It places 50% of the projected on-budget surplus over the next five years in a Debt Reduction Lockbox, away from those who would squander it on irresponsible tax cuts.

The Blue Dog bill also delivers on our promise to save Social Security and Medicare by reserving the Debt Reduction Dividend—the savings from lower interest payments on the debt resulting from its reduction—for these two programs. Seventy-five percent of these savings would be reserved for Social Security reform and 25% for Medicare reform.

Mr. Speaker, the fundamental tenet of the Blue Dog proposal—debt reduction—has been recklessly omitted from the Republican bill. Our primary goal as we debate how to divide the projected budget surplus should be to maintain the strong and growing economy that has benefited millions of Americans. Irresponsible tax cuts, however, are not the means to achieving this end. Using that simple objective as our guide, it is clear that the best course of action this body could take is to use the budget surpluses to start paying off the $5.6 trillion national debt. Reducing the national debt is clearly the best long-term strategy for the U.S. economy.

Economists from across the political spectrum agree that using the surplus to reduce the debt will stimulate economic growth by increasing national savings and boosting domestic investment. Paying down our debt will reduce the tremendous drain that the federal government has placed on the economy by running up a huge national debt. Quite simply, reducing the federal government's $5.6 trillion national debt takes money that is currently tied up in debt and puts it back into the private sector where it can be invested in plants, equipment and other investments that create jobs and economic output.

Federal Reserve Board Chairman Alan Greenspan has repeatedly advised Congress that the most important action we could take to maintain a strong and growing economy is to pay down the national debt. Earlier this year, Chairman Greenspan testified before the Ways and Means Committee that debt reduction is a much better use of surpluses than are tax cuts, stating:

> The advantages that I perceive that would accrue to this economy from a significant decline in the outstanding debt to the public and its virtuous cycle on the total budget process is a value which I think far exceeds anything else we could do with the money.

We should follow Chairman Greenspan's advice by making debt reduction the highest priority for any budget surplus.

There has been a lot of discussion here in Washington about a ''grand bargain'' on the budget that would divide the surplus between tax cuts and higher spending. Our constituents are giving a very different message. I would encourage my colleagues to ignore this inside the beltway speculation, and listen to the American public. Our constituents are telling us to meet our obligations by paying down the national debt.

The folks I represent understand that the conservative thing to do when you have some extra resources is to pay your debts first. They don't understand how we can be talking about grand plans to divide up the budget surplus when we have a $5.6 trillion national debt. They want us to use this opportunity to pay down our debt.

We hear a lot of talk about ''giving the American people their money back.'' I would remind my colleagues that it is the American people who owe the $5.6 trillion national debt we have run up. If we are truly interested in giving the surpluses back to the American people, we should start by paying off the debt we have run up on their credit card.

I would suggest that the best tax cut we could provide for all Americans, and the best thing that we can do to ensure that taxes remain low for our children and grandchildren, is to start paying down our $5.6 trillion national debt. Reducing our national debt will provide a tax cut for millions of Americans by restraining interest rates. Lower interest rates will put money in the pockets of working men and women by saving them money on variable mortgages, new mortgages, auto loans, credit card payments, and other debts. The reduction in interest rates we have had as a result of the fiscal discipline over the last few years has put at least $35 billion into the hands of homeowners through lower mortgage payments. Continuing this fiscal discipline and paying down the debt is the best way to keep putting money into the hands of middle class Americans.

Just as importantly, reducing the national debt will protect future generations from increasing tax burdens to pay for the debts that we have incurred. Today, more than twenty-five percent of all individual income taxes go to paying interest on our national debt. The amount of income taxes the government will have to collect just to pay the interest on the debt will continue to increase unless we take action now to pay down the national debt.

Every dollar of lower debt saves MORE than one dollar for future generations. These savings that can be used for tax cuts, covering the costs of the baby boomers retirement without tax increases or meeting other needs. We should give future generations the flexibility to deal with the challenges they will face, instead of forcing them to pay higher taxes just to pay for the debt we incurred with our consumption today.

I urge my colleagues to vote AGAINST reckless spending by voting AGAINST the Republican tax cuts—but let's not stop there. Join me in supporting the Blue Dog Debt Reduction Lockbox bill and let's eliminate our debt.

Mr. BENTSEN. Mr. Speaker, let me say, first off, that a tax cut would be appropriate if we could afford it, if it would stimulate further economic growth, and if it were fair. Our first priority should be to use most, if not all, of the projected on-budget surpluses to pay down the $3.6 trillion debt held by the public.

The tax cut considered this morning is contingent upon maintaining the spending caps, which we have broken, although nobody is willing to admit this fact. It is contingent on maintaining a reasonable level of emergency spending, although emergency spending is now an escape hatch to avoiding the caps. Above all, it is contingent upon projected on-budget surpluses. But, there is not on-budget surplus and if there ever was, it disappeared this week. In fiscal year 2000, the Congressional Budget Office projects a $14 billion on-budget surplus. But, Farm relief and the $4.5 billion price tag for the Census have been categorized as emergency spending. Yesterday's votes in the House and Senate ate up $12 billion.

Here is a more realistic scenario. If the caps are lifted so that overall discretionary spending remains at FY 1999 levels, adjusted only for inflation and emergency spending stays at the historical average of fiscal years 1991 though 1998, on-budget surpluses would equal $112 billion over the next 10 years. Some 89 percent of the projected on-budget surplus would disappear.

If these surpluses do not materialize, the consequences could be severe. It took us 15 years to climb out of the deficits created by the 1980's tax cuts and spending increases. In 1981 we passed broad based tax relief. The consequences were catastrophic. Publicly held debt quadrupled between 1981 and 1993. Interest payments on the debt doubled as a share of the federal budget form seven to 15 percent. Interest on the debt is now the third most expensive government program behind Social Security and defense spending. Adding to that debt is the height of fiscal irresponsibility. Why would we want to repeat that scenario?

I know that it is unpopular for Democrats to talk about the distributional consequences of tax relief. But fairness and progressivity are critical elements of our tax code. I believe we have an obligation to fight for those principles. Tax relief, as the definition of relief would indicate, is for those who need relief. There has been such little discussion in this body and in the press on the distributional effects of this cut. Just because we talk about the distributional benefits of a tax cut does not mean that we are promoting class warfare. But, we ought to tell it like it is. I understand that the wealthiest in this country pay a large share of taxes collected. They also earn the greatest benefits from the policies in place that helped create this unparalleled prosperity. But, the middle class does not fair as well as the upper end in the bill before Congress today. The Treasury Department estimates that the average tax cut for the richest one percent of Americans would be $37,000 a year when the tax cuts are fully in effect. The average tax cut for the bottom 60 percent of the population would be $134.

What about intergenerational fairness? Let me quote Herbert Stein, a conservative economist, writing on the Wall Street Journal's op-ed page yesterday.

''The argument about fairness is complicated . . . The government's revenue is really the taxpayer's money, but the government's debt is the taxpayer's debt too—and one can say in fairness that they should repay it. Is it fair for today's generation to leave the debt burden to its children?''

No, of course it isn't.

This tax cut is another river boat gamble. Again, our first priority should be to pay down the $3.6 trillion debt held by the public.

Tax cuts are difficult undo. In the 1980s, the nation spent a decade undoing the across the board tax cuts by raising taxes on everything else, such as airline tickets, luxury boats, and foreign cars. Deficit reduction is painful. Debt reduction is easy. If we need to stop because of a recession or a war to raise capital, no problem. We can always go back to it.

As Alan Greenspan has repeatedly said, paying down the debt would create more wealth for all Americans. He favors reducing the debt because with less debt, interest rates decline. That makes ti easier for American families to buy a house . . . to buy a car . . . to start a business. Now, what Mr. Greenspan did say after that is he would prefer a tax cut to spending. But, that's because he is an economist and a conservative who believes in a less activist government.

He also pointed that there is a ''shadow cost'' to not paying down the debt. A tax cut without offsets will add more debt, raise interest costs and interest rates. Our new Treasury Secretary, Larry Summers said today that for every three one-hundredths of a percentage point in reduced interest rates on the total debt, the Government ultimately saves $1 billion a year in interest costs.

Less debt means that there is less competition between the private sector and the government in the bond market. As government gobbles up less capital, interest rates should decline. A two percent dip in interest rates, from eight to six percent, would decrease mortgage payments on a $115,000 home by $155 a month. That is a better tax break than anything Congress could put together.

With lower interest payments, government can make crucial investments to improve productivity. If productivity is one percent a year, it take 70 years to double our standard of living. At two percent a year, it takes only 35 years.

As any student in an introductory macroeconomics course can tell you, a tax cut stimulates consumption. Americans are consuming at such a fast rate, there is no personal savings. Why would we encourage more consumption, when it crowds out savings and drives up interest rates? It is just bad fiscal policy!

Finally, we have a chance to shore up Social Security and Medicare. We finally have a chance to prepare for the future and we are going to squander newfound resources on a risky RIVER BOAT gamble of a tax cut, that is unnecessary, unaffordable, and unfair. Thank you.

Mrs. FOWLER. Mr. Speaker, as we look at surpluses as far as the eye can see, there is only one thing Republicans want to say to the American people today: We believe this money is your money. You are the ones who have worked hard. You are the ones who have struggled to make ends meet. You are the ones who have sacrificed time with your loved ones because there just isn't enough money in your wallet.

Republicans think it is shameful that the government takes more money from you, than you spend on food, clothing, shelter and health care combined. That's why we offered this excellent tax relief package. It's your money, and you should be able to make the decisions over how to spend it.

When Republicans took the reins of Congress in 1995, we made a solemn promise to the American people to return our government to a government of the people, by the people and for the people. To me, the only way to accomplish this is to return to the American people control over their lives and over their money.

That's why we committed to locking away 100% of what Americans pay in to Social Security and Medicare for only Social Security and Medicare, to paying down $2 trillion in public debt, and to returning money to hard-working Americans. When you have a $3 trillion dollar surplus, the people have paid too much. Responsibly, 75 cents of each dollar of the surplus will go toward strengthening Social Security, reforming Medicare, paying down the public debt, rebuilding our military, improving public education and other vital programs. Fairly, the remaining 25 cents will be returned to the people who earned it: the hard-working American taxpayer.

Instead, the Democrats and the President propose a risky scheme of $937 billion in new spending. I guess the President really did mean it when he said back in January that he didn't trust the American people to spend their money correctly that ''we could give it back to you and hope you spend it right.''

The Republican tax relief plan follows a fair, responsible commonsense principle: it returns dollars and decisions home. Rather than viewing the wallets of the American People as ATM machines, the Republican tax relief plan remembers whose money this really is and who, in the end, is in charge: the hard-working American people.

Mr. CASTLE. Mr. Speaker, I strongly support tax relief for all Americans. As Governor of Delaware, I reduced income taxes three times. As Delaware's representative in Congress, I supported the significant tax relief for families and businesses in the Balanced Budget Act of 1997. I hope to have the opportunity to vote for significant, broad-based tax relief in 1999. However, in the past each time I signed or voted for legislation to reduce taxes I worked to ensure it was as part of a comprehensive balanced budget plan. Unfortunately, this legislation, at a cost of $792 billion over ten years—80% of the projected budget surplus—does not allow for a complete plan to preserve the surplus and a balanced budget.

When this legislation was considered by the House, I proposed an alternative tax relief plan that would have provided $514 billion in tax relief. My proposal would preserve $482 billion of the projected surplus for debt reduction, emergencies and other needs. Unfortunately, the House was not permitted to vote on that alternative. I hope when Congress and the President finish staking out political positions on this issue, we can come together in the fall and reach a comprehensive agreement that provides for solid tax relief and sets aside funds for debt reduction, potential emergencies and a realistic plan to fund defense, education, Medicare and other important priorities over the next ten years.

The size of this tax legislation is the most serious issue. The bill would commit $792 billion of a projected $996 ten-year surplus to tax

reduction. It just does not make sense to commit 80% of a surplus we have not yet achieved to one purpose. It leaves very little margin for error. Federal Reserve Chairman Alan Greenspan testified just last week that ten-year economic projections are not reliable. The surplus will grow to $996 billion only if the economy remains strong and if there are no other changes in tax or spending policy. If we spend more or have less revenue, interest payments on the debt will be larger and the surplus will be smaller. If we commit $792 billion to tax reductions, virtually all of the rest of the $996 surplus will be needed to pay higher interest costs on the debt. If we experience an economic downturn, these surpluses could easily turn to deficits. The Congressional Budget Office (CBO) which made these predictions stated that they could vary by as much as $100 billion in any year.

The assumptions necessary for a $792 billion tax cut leave no room for the unplanned, but almost certain expenses like natural disasters and other emergencies. Over the past ten years, emergencies have averaged at least $8 billion per year. It is a fact: hurricanes, floods, droughts and military emergencies happen virtually every year. This year, Congress has already spent $15 billion in emergency funds for Kosovo. Just yesterday, the Senate passed a $7.4 billion emergency disaster relief package for farmers. Delaware and virtually every state in the eastern U.S. is suffering from one of the worse droughts of the century. The billions in emergency aid now in the Senate will almost certainly be followed by the need for more drought assistance.

Those funds will come straight from the surplus. There will be emergencies every year and those likely costs must be factored into our calculations of what size tax cut is possible. Furthermore, while Medicare is currently fundamentally sound, there are growing problems in the area of home health care, HMO's and rural and teaching hospitals. Correcting those problems may require additional funds. Finally, important programs like defense, education, and veterans must be adequately funded. The size of this tax legislation is based on completely unrealistic assumptions that domestic programs can be drastically reduced. Congress is already avoiding those cuts this year. We can and should limit spending, but cuts of 10 percent or more are just not realistic.

My second concern is the need for debt reduction. The federal debt is $5.6 trillion and requires 15 percent of the annual federal budget to service. If we do not take the opportunity to pay down this debt during strong economic times, then when will we? Tax relief is important, but it should be balanced with the need to begin to pay down at least some of the $5.6 trillion federal debt. Committing 80 percent of the projected surplus to tax reductions, simply does not allow enough of the surplus for debt reduction. I was pleased to be involved in the negotiations that produced the amendment to condition the phase-in of the broad-based tax relief provisions on reducing the debt. This ''tax cut trigger'' is a positive addition to the bill, but it does not go far enough. Billions in tax relief to businesses will go forward regardless of whether we are meeting our debt payment goals. More of the projected surplus should be reserved to pay down the debt. When I talk to people in Delaware, they almost always tell me that should be our top priority because they know everyone benefits from lower interest rates on their own debt, including credit card and mortgage rates. In fact, a 1 percent drop in interest rates saves Americans $200–$250 billion in mortgage costs. That is real middle class financial relief.

We can and should provide tax relief to all taxpayers, but we must balance tax relief with debt reduction, future emergencies, national defense, health care and education and the need to protect against an economic downturn. The tax alternatives proposed by House Democrats and President Clinton are not adequate. We can provide more than $250–$300 billion in tax relief to working Americans without jeopardizing other priorities. Clearly the President must become actively engaged to achieve a true compromise.

I cannot support his legislation today because it does not balance tax relief with the need to reduce the national debt and a realistic cushion for the inevitable emergencies and other budget problems that will occur over the next ten years. When Congress returns in September, I hope we can engage in serious negotiations with the President that utilizes the good proposals for broad-based tax relief in this legislation but at a more affordable level. I look forward to working with all members of Congress and the Administration to ultimately produce legislation to give every American significant tax relief.

Mrs. CAPPS. Mr. Speaker, I rise today in support of common sense tax relief for American families and small businesses. I also rise in support of saving Medicare and Social Security, two programs critical to today's seniors and future generations.

Unfortunately, the tax conference report before us today is fiscally irresponsible. It would threaten our ability to ensure the long term solvency of Medicare and Social Security. It would also restrict our ability to pay down national debt and to make needed investments in national defense, education and environmental protection.

By using virtually the entire projected surplus for permanent tax cuts, this bill would leave no money for modernizing Medicare or reforming Social Security. This is simply unconscionable. Medicare is desperately in need of modernization—specifically, the lack of prescription drug coverage is a gaping hole in this critical safety net for seniors that must be fixed. And while Social Security is fiscally sound for the near future, the coming retirement of the baby boom generation will strain the system beyond its limit. We owe it to future generations to act now to reform these programs while there is still plenty of time to do so.

I strongly support tax relief for middle income families, which this bill unfortunately fails to provide. For example, the across-the-board tax cut in the measure will cost almost $300 billion, but would give someone on the Central Coast making $30,000, a tax cut of only 37 cents per day! That's not even enough to buy a copy of my local newspaper.

The tax plan I voted for earlier this year would have fixed the marriage penalty and ensured middle class families can take full advantage of the various per-child, education and child care tax credits. It would also have increased the per-child tax credit by $250 for families with children under age five.

The bill I supported would have helped families by providing $25 billion in school construction bonds to modernize our overcrowded public schools and make employer-provided assistance tax free for undergraduate and graduate education. This measure would institute a $1,000 long term care credit and make health insurance fully deductible for the self-employed beginning next year. And it would make permanent the R&D tax credit, so critical to ensuring future economic growth on the Central Coast, as well as credits to help move people from welfare to work.

I have also supported cutting the estate tax for our small business owners and family farmers like those on the Central Coast of California who are imperiled by the death of the head of the family. We must increase the exemption for businesses like these above the current $1.3 million. The high value of Central Coast land, for example, can make even a modest sized farm or ranch impossible to pass down without being subject to high estate taxes that can force the sale of the property. By increasing this exemption, we would keep family farms and businesses in the family and off the auction block.

Finally, Mr. Speaker, I would like to express my profound disappointment in the partisan handling of this tax bill. I believe there is general agreement among the vast majority of Members that we can and should provide tax relief this year. But the House leadership has pursued a partisan course designed to make political points and not to pass meaningful legislation. How sad it was that Democratic members were literally locked out of the conference committee that wrote this legislation.

The leadership knows this bill will not become law. By seriously sitting down and negotiating a common sense tax bill we could easily pass legislation this year and give families and businesses the tax relief they deserve. I hope that we can put the partisanship aside and work together on formulating real tax reform this year. Our constituents deserve nothing less.

Mr. CRANE. Mr. Speaker, I rise in support of the Conference Report of H.R. 2488, the Taxpayer Refund and Relief Act of 1999.

I'd like to commend our Ways and Means Committee Chairman BILL ARCHER and our Majority Leader DICK ARMEY for their leadership, not to mention the wise counsel of Speaker HASTERT, who crafted this tax relief package for all Americans. I was honored to be named a conferee for the Taxpayer Refund and Relief Act and am proud of the product of labors.

Mr. Speaker, during my long service in this body, I have had too few opportunities to cut taxes for the American people. I had to wait 12 years, until 1981, for the first major tax cut provided by the leadership of President Reagan. It was another 16 years, in 1997, before I could vote for another major tax cut. However, this Taxpayer Refund and Relief Act of 1999 is far and away my favorite. Not only is it the largest, providing $792 billion in tax relief, but it does so from budget surpluses provided by taxpayers. In effect, we're giving taxpayers a refund for overtaxing them. At the same time, we will be using the remaining surplus to pay down the national debt—as much as $2 trillion over the next decade—as we lock away $1.9 trillion to preserve and protect Social Security and Medicare.

However, talking about all those numbers is the stuff of Washington policy works. Let me tell the American people what this tax cut means for them.

Our Republican tax plan will give all taxpayers a cut in their income tax rates. In addition, 28 million working married couples will see a substantial reduction in their marriage penalty. Our bill also repeals the alternative minimum tax on individuals that will save taxpayers money while simplifying their tax returns. This provision is similar to legislation I introduced in this Congress to abolish the alternative minimum tax.

For farmers, small business owners and older Americans, our bill will reduce, then abolish, the estate tax over the next 10 years. This confiscatory tax, with rates as high as 55 percent, has forced families to sell the fruits of a lifetime of labor to pay the taxman instead of passing it on to the next generation.

The growth of the capital markets has given investors from all walks of life an opportunity to invest and save for the future. To further spur growth in these investments, H.R. 2488 will reduce tax rates on capital gains from 20 percent to 18 percent and from the lower rate of 10 percent to 8 percent. In the future, capital gains will be indexed so that investors won't be paying taxes on artificial gains from inflation. I am also pleased that my provision to cut capital gains taxes on the settlement funds which pay beneficiaries of class action lawsuits was included in the final package.

To further assist Americans saving for retirement, H.R. 2488 also includes $35 billion in incentives for saving with individual retirement accounts, or IRAs. Savers will be able to contribute much more—up to $5,000—to their IRA accounts. Also included among these incentives is my provision to allow IRA holders to rollover their funds to needy charities.

This bill has more good tax policy than I have time to mention. I do, however, want to say how pleased I am that my provisions to simplify the tax returns of affiliated groups of life insurance companies and another to encourage more foreign investment in U.S. mutual funds were also included in the final product.

I urge all my colleagues to support this tax relief package so that we may start to return the tax overcharge to the American taxpayers. Furthermore, I hope the President will not stand in the way of needed tax relief by vetoing this measure.

Mr. STARK. Mr. Speaker, I rise in opposition to the conference report on HR 2488.

Let me just highlight a few of this bill's flaws:

The Republican tax bill would spend $792 billion over the next 10 years out of a budget surplus that will never occur. This tax cut is based on a false premise: without enacting spending cuts, the surplus simply won't occur.

By spending what we don't really have on tax cuts, this bill raids the Social Security surplus and endangers Medicare. It pulls a fast one today's workers who's payroll dollars are creating the surplus that exists today.

The bill is a hoax even on those it portends to help. The individual tax rate cuts are dependent on no increase in national debt from now until 2009. One slight increase in interest rates is all that it takes for the national debt to increase. When was the last time interest rates did not increase over a ten year period?

This bill is a huge hoax because it claims to phase in all sorts of tax relief but all the tax changes end on October 1, 2009 as sure as Cinderella's coach turned back into a pumpkin.

For example, the estate tax repeal is not fully phased in until January, 2009. By October 1, 2009, the tax law reverts back to today's rates and provisions. What kind of incentive does a nine month tax-free window for estates create for families?

The Republican tax bill expands retirement savings incentives at the expense of average workers. How many working couples can afford to increase their IRA contributions from $2,000 to $5,000 per spouse? The Republican bill does nothing to help those who barely make enough to fund IRAs at current contribution levels. Rather than helpng lower and moderate income taxpayers to save, this bill helps those who have already made the maximum contribution under current IRAs and 401(k) plans save even more.

Worse than just helping those in the upper brackets, this bill harms lower-wage workers depending on pensions. The Republican tax bill guts the ''top heavy'' rules enacted to assure that tax-favored pensions would be available to all workers and not skewed to help mainly those at the top. The ''top heavy'' rules are gutted just as the contribution amounts and benefits are increased. This bill does not bolster pension security; it increases pension insecurity for rank and file workers.

There is a gesture to assist with health expenses but this, too, is flawed. The prescription drug benefit is what the Republicans call a ''place holder'', not a real benefit for real people who today are making hard choices about whether to fill their prescriptions or to buy food and pay their rent and utilities. Our seniors need prescription drug help now, not a promise to deal with drug costs in some undefined way at some later time.

The Republican bill is flawed in the ways it throws money at special interests. Business tax breaks, unlike the rate reduction for individuals, will be in effect no matter how high the national debt soars.

The Republican tax bill throws $24 billion in tax breaks at the multinational corporations. These are the same folks who move American jobs overseas.

It throws about $650 million at the oil and gas industry which has a hand out in hard times but never gives credit due consumers in good times.

There is even a tax break to produce power from chicken droppings, a real turkey of a provision if there ever was one.

Timber growers get over $275 in taxpayer assistance for reforestation, something timber growers already do.

Life insurance cmpanies get a billion dollar tax break which allows them to file consolidated returns with their affiliates to shelter income from tax.

Another billion goes to nuclear power plant stockholders with the taxpayers picking up the tab for the decommissioning costs.

The Republican tax bill spends close to $4 billion on raising business meal deductions but average workers won't be at the table for that perk. They don't get to take clients out for steak and martinis.

The Republican sponsors boast that their bill returns money to American families but they don't even do that in a fair way. Sixty percent of the taxpayers in the middle income quintile (annual income of $23,800 to $38,200) would receive an average tax cut of $278 a year, less than 8% of the total money to be given back to families.

Compare that to the best off one percent of taxpayers—those making more than $301,000—who would get an average tax reduction of more than $46,000 a year under the Republican bill.

The bill does nothing to shore up Social Security or Medicare. It precludes paying down the debt with any surplus that occurs.

Although the Republicans have the votes to pass this turkey of a bill, they won't have my support for it. I will vote NO on HR 2488.

Ms. LEE. Mr. Speaker, I vehemently oppose this Republican tax bill to give money to the richest from a phantom surplus. Our surplus comes from Social Security funds and cuts in essential programs in housing, community oriented policing, legal services, anti-discrimination, research, environmental protection, and a host of other programs essential to America's families.

Let's look at the facts.

Sixty percent of tax payers of middle income and below would receive less than 8% of the total tax cuts. Their average tax reduction would be only $138 a year.

The top 1/10th of taxpayers would receive 69% of the tax reductions and get an average annual tax cut of $7,600.

Those making more than $300,000—would get an average annual tax reduction of more than $46,000 a year.

Let's look at the other 85% of our people. Personal savings are at an all-time low and 1/3 of the people have no assets at all.

Another 20% have negligible assets. Almost half of all American children live in households with no financial assets. More than 10 million Americans don't even have a bank account.

We are leaving too many behind. The rich have indicated they don't need the tax cut. Thank goodness they want a society with excellent schools, a skilled and healthy labor force, safe towns, all the things that the rest of us want.

The Republican tax bill for the rich who don't want it is an awful bill and will be rejected by the people.

Mr. SHOWS. Mr. Speaker, I favor cutting taxes. We all do.

But the Republican tax bill offers pie-in-the-sky, campaign promises that will give most Americans nothing but pocket change.

By failing to attack the $6 trillion national debt, Republicans will give all Americans higher interest rates and higher prices for everything they buy, every day, for years to come.

We need a coherent fiscal policy, not feel-good election year across-the-board tax cuts. We can reduce taxes, but we need reasonable tax cuts and incentives that really help working families and small businesses. Cutting capital gains and estate taxes, and the marriage penalty, are a good start.

But we should not squander this opportunity to put our fiscal house in order. We should use budget surpluses to pay off the debt as soon as we can.

But the Republicans are merely leading us down a road we have already traveled—a road that leads to greater deficits, higher interest rates, and a higher cost of living for every American.

Mr. Speaker, we need to do the right thing, and we have the resources to do it. Save Social Security and Medicare, reduce the national debt, and apply tax reductions where they will do the most good.

Mr. VENTO. Mr. Speaker, I rise in opposition to H.R. 2488, the Republican tax bill. This

legislation reminds me of the favorite books of my youth. I enjoyed reading the Hardy Boys series which always dealt with some mystery, usually the disappearance of something. This legislation would be a classic Hardy boys case—they would call it ''The Case of the Disappearing Tax Cut.''

The story would unfold with the Republican Leadership going around the country touting the major tax break for working families and how families would be able to take this tax break and meet all of their needs. And lo and behold, come next year when families were actually filing their taxes, that tax break would be gone. It would have vanished into thin air. At that point, Speaker HASTERT and Majority Leader DELAY would call in the Hardy Brothers to find out what happened to the tax breaks that they had promised.

Mr. Speaker, it won't take the Hardy Boys to solve this mystery. There will be no generous tax break in 2000 because it was never there. Under this legislation, families with an income of $30,000 will receive an average $278 tax cut—that's a cut of 76 cents a day when the bill is fully phased in. There's not a lot that can be done with that windfall.

As with every Republican tax bill, this legislation overflows with tax breaks heavily skewed towards special interests and the very rich while giving working families minimal assistance with maximum braggadocios. While working families will take home less than $300, families earning more than $301,000 will get an annual $46,389 bonus from uncle Sam. That is $127 in new tax breaks per day and it is more than most of my constituents earn.

On top of that imbalance, this legislation provides all sorts of goodies for the special interests. The GOP tax bill phases out the corporate minimum tax, gives special tax breaks to utilities to close nuclear power plants and special tax treatment for multinational giants. Who knows what other goodies are tucked away in this package? Certainly not the House Action Reports upon which many of us rely. The GOP Leadership and their staff gave them less than $650 billion of the $792 billion in ten year tax breaks. Well what's $150 billion in tax breaks between friends: ''Don't worry, be happy.'' These facts won't come out until this package has been forced through the House.

In their rush to reward their friends, the Republican majority refuses to set aside even one dollar of the on-budget surplus to extend the solvency of the Medicare Trust Fund or the Social Security Trust Fund. Over $4,100 a month in new tax breaks for taxpayers earning more than $301,000 but not a penny for resolving the Medicare and Social Security programs. Mr. Chairman, it is time for a reality check. The problem in this issue is not ideology. We would all like a tax cut. The problem is basic arithmetic. This GOP tax bill doesn't add up.

Frankly, this fiscal tax expenditure scheme, which is based on speculative projects, risks undercutting the solid economic growth of the U.S. and the global economy. This scheme threatens to blow a hole in the budget, stacking up dollar after dollar in deficit red ink with no chance to pay down the U.S. $5.6 trillion debt, while starving the defense and domestic program to death with commitments significantly less than in 1999. Ironically, we cannot even meet the needs today and this tax scheme assumes more cuts over the next ten years. This action and projection assumes no emergency spending, no military needs, no natural disasters, no new investment in families and places the U.S. economy in a straight jacket. At its best, this measure is irresponsible, unneeded, unfair, unworkable and represents bad judgement and politics at its worst.

Yesterday, the House voted to fund the 2000 Census categorized as a $4.5 billion emergency and the Senate added $7.4 billion as an agricultural emergency. The way this Congress is moving on emergencies there will be no budget surplus in FY 2000.

I believe that it is possible for Congress to get real and approve a targeted tax cut that will benefit working families. But first let us get the fiscal house in order and secure Social Security and Medicare, pay down the $5.4 trillion debt and then move to enact a fair working family tax cut. Such a tax cut could include fairness in the marriage penalty and incentives to help families to help themselves. Such a tax cut should be based on real economic projections and not be viewed through the rose colored glasses that the Republicans wear. Above all else, these tax cuts should not be achieved at the expense of Social Security and Medicare.

When the Members vote for this measure they ought to use their ''charge cards'' because they are voting for new deficits. They want to go back to the pre-Clinton 1993 budget when our nation faced $200 billion to $300 billion deficits each year as far as the eye could see. This ''charge it'' policy is not for me nor is it for the American people who lived through 20 years of the Reagan inspired instant gratification philosophy. It is time to put away the credit card and reject this irresponsible, unfair politically inspired tax and fiscal mess.

Mr. Speaker, let's write a new ending to ''The Case of the Disappearing Tax Cut.'' Let's work together on a bipartisan tax bill that does not jeopardize Social Security and Medicare; that does not sentence us to new deficits; that does provide real tax relief for working families and does simplify the current tax code.

Mr. MARKEY. Mr. Speaker, I rise in opposition to the Republican Tax Bill.

As I read through the Republicans' Tax Bill, I am reminded of the prayer in Saint Augustine's Confessions, in which he asked God to ''Give me chastity and continence, but not just now.''

The Republican Leaders in Washington want to genuflect on the alter of fiscal responsibility.

But when it comes down to using the surplus to strengthen education, preserve Medicare and give seniors a prescription drug benefit, and pay down the debt, they say: ''Give us chastity and continence, but not just now.''

And with this bill, we are seeing the GOP embarking on a budget-busting bender.

The top 10 percent of the taxpayers will get 48 percent of the total benefits. The middle class tax breaks are phased in slowly, and may not happen at all depending on the strength of the economy. In contrast, the special-interest corporate tax breaks and estate tax repeal are automatic.

This isn't tax relief. It's deficit debauchery. This bill will squander the surplus on tax breaks for the rich, do nothing for Social Security, nothing for Medicare, and nothing on a prescription drug benefit. And at the same time, it will threaten to send us back to the days of deficits.

The SPEAKER pro tempore (Mr. KOLBE). All time for debate on the conference report has expired.

Without objection, the previous question is ordered on the conference report.

There was no objection.

MOTION TO RECOMMIT OFFERED BY MR. RANGEL

Mr. RANGEL. Mr. Speaker, I offer a motion to recommit this bill to the conference, hoping that Democrats this time might be included so we can clean up this bill.

The SPEAKER pro tempore. Is the gentleman from New York (Mr. RANGEL) opposed to the conference report?

Mr. RANGEL. Yes, in its present form, Mr. Speaker.

The SPEAKER pro tempore. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. RANGEL moves to recommit the conference report on the bill, H.R. 2488, to the committee on conference with the following instructions to the managers on the part of the House.

1. In order—

A. to preserve 100 percent of the Social Security Trust Fund surpluses for the Social Security program and to preserve 50 percent of the currently projected non-Social Security surpluses for purposes of reducing the publicly held national debt, and

B. to insure that there will be adequate budgetary resources available to extend the solvency of the Social Security and Medicare systems, and to provide a Medicare prescription drug benefit,

the House managers shall, to the extent permitted within the scope of conference, insist on limiting the net 10-year tax reduction provided in the conference report to not more than 25 percent of the currently projected non-Social Security surpluses (or if greater, the smallest tax reduction permitted within the scope of conference).

2. The House managers shall, to the extent permitted within the scope of conference, insist on not including in the conference report any provision which would constitute a limited tax benefit within the meaning of the Line Item Veto Act.

The SPEAKER pro tempore. The motion to recommit is not debatable.

Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to recommit.

The question was taken; and the Speaker pro tempore announced that the noes appeared to have it.

Mr. RANGEL. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

Pursuant to clause 9 of rule XX, the Chair will reduce to a minimum of 5 minutes the period of time within which a vote by electronic device, if ordered, will be taken on the question of agreeing to the conference report.

The vote was taken by electronic device, and there were—yeas 205, nays 221, not voting 8, as follows:

[Roll No. 378]

YEAS—205

Abercrombie
Ackerman
Allen
Andrews
Baird
Baldacci
Baldwin
Barcia
Barrett (WI)
Becerra
Bentsen
Berkley
Berman
Berry
Bishop
Blagojevich
Blumenauer
Bonior
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brown (FL)
Brown (OH)
Capps
Capuano
Cardin
Carson
Clay
Clayton
Clement
Clyburn
Condit
Conyers
Costello
Coyne
Cramer
Crowley
Cummings
Davis (FL)
Davis (IL)
DeFazio
DeGette
Delahunt
DeLauro
Deutsch
Dicks
Dingell
Dixon
Doggett
Dooley
Doyle
Edwards
Engel
Eshoo
Etheridge
Evans
Farr
Fattah
Filner
Forbes
Ford
Frank (MA)
Frost
Gejdenson
Gephardt
Gonzalez
Gordon
Green (TX)
Gutierrez
Hall (OH)
Hastings (FL)
Hill (IN)
Hilliard
Hinchey
Hinojosa
Hoeffel
Holden
Holt
Hooley
Hoyer
Inslee
Jackson (IL)
Jackson-Lee (TX)
Jefferson
John
Johnson, E. B.
Jones (OH)
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick
Kind (WI)
Kleczka
Klink
Kucinich
LaFalce
Lampson
Larson
Lee
Levin
Lewis (GA)
Lipinski
Lofgren
Lowey
Lucas (KY)
Luther
Maloney (CT)
Maloney (NY)
Markey
Martinez
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McGovern
McIntyre
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Millender-McDonald
Miller, George
Minge
Mink
Moakley
Moore
Moran (VA)
Murtha
Nadler
Napolitano
Neal
Oberstar
Obey
Olver
Ortiz
Owens
Pallone
Pascrell
Pastor
Payne
Pelosi
Peterson (MN)
Phelps
Pickett
Pomeroy
Price (NC)
Rahall
Rangel
Rivers
Rodriguez
Roemer
Rothman
Roybal-Allard
Rush
Sabo
Sanchez
Sanders
Sandlin
Sawyer
Schakowsky
Scott
Serrano
Sherman
Shows
Sisisky
Skelton
Slaughter
Smith (WA)
Snyder
Spratt
Stabenow
Stark
Stenholm
Strickland
Stupak
Tanner
Tauscher
Taylor (MS)
Thompson (CA)
Thompson (MS)
Thurman
Tierney
Towns
Traficant
Turner
Udall (CO)
Udall (NM)
Velazquez
Vento
Visclosky
Waters
Watt (NC)
Waxman
Weiner
Wexler
Weygand
Wise
Woolsey
Wu
Wynn

NAYS—221

Aderholt
Archer
Armey
Bachus
Baker
Ballenger
Barr
Barrett (NE)
Bartlett
Barton
Bass
Bateman
Bereuter
Biggert
Bilirakis
Bliley
Blunt
Boehlert
Boehner
Bonilla
Bono
Brady (TX)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Campbell
Canady
Cannon
Castle
Chabot
Chambliss
Chenoweth
Coble
Coburn
Collins
Combest
Cook
Cooksey
Cox
Crane
Cubin
Cunningham
Danner
Davis (VA)
Deal
DeLay
DeMint
Diaz-Balart
Dickey
Doolittle
Dreier
Duncan
Dunn
Ehlers
Ehrlich
Emerson
English
Ewing
Fletcher
Foley
Fossella
Fowler
Franks (NJ)
Frelinghuysen
Gallegly
Gekas
Gibbons
Gilchrest
Gillmor
Gilman
Goode
Goodlatte
Goodling
Goss
Graham
Granger
Green (WI)
Greenwood
Gutknecht
Hall (TX)
Hansen
Hastert
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hill (MT)
Hilleary
Hobson
Hoekstra
Horn
Hostettler
Houghton
Hulshof
Hunter
Hutchinson
Hyde
Isakson
Istook
Jenkins
Johnson (CT)
Johnson, Sam
Jones (NC)
Kasich
Kelly
King (NY)
Kingston
Knollenberg
Kolbe
Kuykendall
LaHood
Latham
LaTourette
Lazio
Leach
Lewis (CA)
Lewis (KY)
Linder
LoBiondo
Lucas (OK)
Manzullo
McCollum
McCrery
McHugh
McInnis
McIntosh
McKeon
Metcalf
Mica
Miller (FL)
Miller, Gary
Moran (KS)
Morella
Myrick
Nethercutt
Ney
Northup
Norwood
Nussle
Ose
Oxley
Packard
Paul
Pease
Petri
Pickering
Pitts
Pombo
Porter
Portman
Pryce (OH)
Quinn
Radanovich
Ramstad
Regula
Reynolds
Riley
Rogan
Rogers
Rohrabacher
Ros-Lehtinen
Roukema
Royce
Ryan (WI)
Ryun (KS)
Salmon
Sanford
Saxton
Scarborough
Schaffer
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Sherwood
Shimkus
Shuster
Simpson
Skeen
Smith (MI)
Smith (NJ)
Smith (TX)
Souder
Spence
Stearns
Stump
Sununu
Sweeney
Talent
Tancredo
Tauzin
Taylor (NC)
Terry
Thomas
Thornberry
Thune
Tiahrt
Toomey
Upton
Vitter
Walden
Walsh
Wamp
Watkins
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
Whitfield
Wicker
Wilson
Wolf
Young (AK)
Young (FL)

NOT VOTING—8

Bilbray
Ganske
Lantos
Largent
McDermott
Mollohan
Peterson (PA)
Reyes

□ 1336

Mr. HALL of Texas changed his vote from ''yea'' to ''nay.''

Messrs. ANDREWS, CONYERS, RAHALL and PAYNE changed their vote from ''nay'' to ''yea.''

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore (Mr. KOLBE). The question is on the conference report.

Pursuant to House Resolution 274, the yeas and nays are ordered.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 221, nays 206, not voting 7, as follows:

[Roll No. 379]

YEAS—221

Aderholt
Archer
Armey
Bachus
Baker
Ballenger
Barr
Barrett (NE)
Bartlett
Barton
Bass
Bateman
Bereuter
Biggert
Bilirakis
Bliley
Blunt
Boehlert
Boehner
Bonilla
Bono
Brady (TX)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Campbell
Canady
Cannon
Chabot
Chambliss
Chenoweth
Coble
Coburn
Collins
Combest
Condit
Cook
Cooksey
Cox
Crane
Cubin
Cunningham
Danner
Davis (VA)
Deal
DeLay
DeMint
Diaz-Balart
Dickey
Doolittle
Dreier
Duncan
Dunn
Ehlers
Ehrlich
Emerson
English
Everett
Ewing
Fletcher
Foley
Fossella
Fowler
Franks (NJ)
Frelinghuysen
Gallegly
Gekas
Gibbons
Gilchrest
Gillmor
Gilman
Goode
Goodlatte
Goodling
Goss
Graham
Granger
Green (WI)
Greenwood
Gutknecht
Hall (TX)
Hansen
Hastert
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hill (MT)
Hilleary
Hobson
Hoekstra
Horn
Hostettler
Houghton
Hulshof
Hunter
Hutchinson
Hyde
Isakson
Istook
Jenkins
Johnson (CT)
Johnson, Sam
Jones (NC)
Kasich
Kelly
King (NY)
Kingston
Knollenberg
Kolbe
Kuykendall
LaHood
Largent
Latham
LaTourette
Lazio
Leach
Lewis (CA)
Lewis (KY)
Linder
LoBiondo
Lucas (KY)
Lucas (OK)
Manzullo
McCollum
McCrery
McHugh
McInnis
McIntosh
McKeon
Metcalf
Mica
Miller (FL)
Miller, Gary
Moran (KS)
Myrick
Nethercutt
Ney
Northup
Norwood
Nussle
Ose
Oxley
Packard
Paul
Pease
Petri
Pickering
Pitts
Pombo
Porter
Portman
Pryce (OH)
Radanovich
Ramstad
Regula
Reynolds
Riley
Rogan
Rogers
Rohrabacher
Ros-Lehtinen
Roukema
Royce
Ryan (WI)
Ryun (KS)
Salmon
Sanford
Saxton
Scarborough
Schaffer
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Sherwood
Shimkus
Shuster
Simpson
Skeen
Smith (MI)
Smith (NJ)
Smith (TX)
Souder
Spence
Stearns
Stump
Sununu
Sweeney
Talent
Tancredo
Tauzin
Taylor (NC)
Terry
Thomas
Thornberry
Thune
Tiahrt
Toomey
Upton
Vitter
Walden
Walsh
Wamp
Watkins
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
Whitfield
Wicker
Wilson
Wolf
Young (AK)
Young (FL)

NAYS—206

Abercrombie
Ackerman
Allen
Andrews
Baird
Baldacci
Baldwin
Barcia
Barrett (WI)
Becerra
Bentsen
Berkley
Berman
Berry
Bishop
Blagojevich
Blumenauer
Bonior
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brown (FL)
Brown (OH)
Capps
Capuano
Cardin
Carson
Castle
Clay
Clayton
Clement
Clyburn
Conyers
Costello
Coyne
Cramer
Crowley
Cummings
Davis (FL)
Davis (IL)
DeFazio
DeGette
Delahunt
DeLauro
Deutsch
Dicks
Dingell
Dixon
Doggett
Dooley
Doyle
Edwards
Engel
Eshoo
Etheridge
Evans
Farr
Fattah
Filner
Forbes
Ford
Frank (MA)
Frost
Ganske
Gejdenson
Gephardt
Gonzalez
Gordon
Green (TX)
Hall (OH)
Hastings (FL)
Hill (IN)
Hilliard
Hinchey
Hinojosa
Hoeffel
Holden
Holt
Hooley
Hoyer
Inslee
Jackson (IL)
Jackson-Lee (TX)
Jefferson
John
Johnson, E. B.
Jones (OH)
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick
Kind (WI)
Kleczka
Klink
Kucinich
LaFalce
Lampson
Larson
Lee
Levin
Lewis (GA)

Lipinski	Olver	Smith (WA)
Lofgren	Ortiz	Snyder
Lowey	Owens	Spratt
Luther	Pallone	Stabenow
Maloney (CT)	Pascrell	Stark
Maloney (NY)	Pastor	Stenholm
Markey	Payne	Strickland
Martinez	Pelosi	Stupak
Mascara	Peterson (MN)	Tanner
Matsui	Phelps	Tauscher
McCarthy (MO)	Pickett	Taylor (MS)
McCarthy (NY)	Pomeroy	Thompson (CA)
McGovern	Price (NC)	Thompson (MS)
McIntyre	Quinn	Thurman
McKinney	Rahall	Tierney
McNulty	Rangel	Towns
Meehan	Rivers	Traficant
Meek (FL)	Rodriguez	Turner
Meeks (NY)	Roemer	Udall (CO)
Menendez	Rothman	Udall (NM)
Millender-McDonald	Roybal-Allard	Velazquez
	Rush	Vento
Miller, George	Sabo	Visclosky
Minge	Sanchez	Waters
Mink	Sanders	Watt (NC)
Moakley	Sandlin	Waxman
Moore	Sawyer	Weiner
Moran (VA)	Schakowsky	Wexler
Morella	Scott	Weygand
Murtha	Serrano	Wise
Nadler	Sherman	Woolsey
Napolitano	Shows	Wu
Neal	Sisisky	Wynn
Oberstar	Skelton	
Obey	Slaughter	

NOT VOTING—7

Bilbray	McDermott	Reyes
Gutierrez	Mollohan	
Lantos	Peterson (PA)	

□ 1347

So the conference report was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

CONFERENCE REPORT ON S. 507, WATER RESOURCES DEVELOPMENT ACT OF 1999

Mr. SHUSTER submitted the following conference report and statement on the Senate 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:

CONFERENCE REPORT (H. REPT. 298)

The committee of conference on the disagreeing votes of the two Houses on the amendment of the House 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, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its disagreement to the amendment of the House to the text of the bill and agree to the same with an amendment as follows:

In lieu of the matter proposed to be inserted by the House amendment, insert 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.

TITLE I—WATER RESOURCES PROJECTS

Sec. 101. Project authorizations.
Sec. 102. Small flood control projects.
Sec. 103. Small bank stabilization projects.
Sec. 104. Small navigation projects.
Sec. 105. Small projects for improvement of the quality of the environment.
Sec. 106. Small aquatic ecosystem restoration projects.

TITLE II—GENERAL PROVISIONS

Sec. 201. Small flood control authority.
Sec. 202. Use of non-Federal funds for compiling and disseminating information on floods and flood damage.
Sec. 203. Contributions by States and political subdivisions.
Sec. 204. Sediment decontamination technology.
Sec. 205. Control of aquatic plants.
Sec. 206. Use of continuing contracts for construction of certain projects.
Sec. 207. Water resources development studies for the Pacific region.
Sec. 208. Everglades and south Florida ecosystem restoration.
Sec. 209. Beneficial uses of dredged material.
Sec. 210. Aquatic ecosystem restoration.
Sec. 211. Watershed management, restoration, and development.
Sec. 212. Flood mitigation and riverine restoration program.
Sec. 213. Shore management program.
Sec. 214. Shore damage prevention or mitigation.
Sec. 215. Shore protection.
Sec. 216. Flood prevention coordination.
Sec. 217. Disposal of dredged material on beaches.
Sec. 218. Annual passes for recreation.
Sec. 219. Nonstructural flood control projects.
Sec. 220. Lakes program.
Sec. 221. Enhancement of fish and wildlife resources.
Sec. 222. Purchase of American-made equipment and products.
Sec. 223. Construction of flood control projects by non-Federal interests.
Sec. 224. Environmental dredging.
Sec. 225. Recreation user fees.
Sec. 226. Small storm damage reduction projects.
Sec. 227. Use of private enterprises.

TITLE III—PROJECT-RELATED PROVISIONS

Sec. 301. Tennessee-Tombigbee Waterway wildlife mitigation, Alabama and Mississippi.
Sec. 302. Ouzinkie Harbor, Alaska.
Sec. 303. St. Paul Harbor, St. Paul, Alaska.
Sec. 304. Loggy Bayou, Red River below Denison Dam, Arkansas, Louisiana, Oklahoma, and Texas.
Sec. 305. Sacramento River, Glenn-Colusa, California.
Sec. 306. San Lorenzo River, California.
Sec. 307. Terminus Dam, Kaweah River, California.
Sec. 308. Delaware River mainstem and channel deepening, Delaware, New Jersey, and Pennsylvania.
Sec. 309. Potomac River, Washington, District of Columbia.
Sec. 310. Brevard County, Florida.
Sec. 311. Broward County and Hillsboro Inlet, Florida.
Sec. 312. Lee County, Captiva Island segment, Florida, periodic beach nourishment.
Sec. 313. Fort Pierce, Florida.
Sec. 314. Nassau County, Florida.
Sec. 315. Miami Harbor channel, Florida.
Sec. 316. St. Augustine, St. Johns County, Florida.
Sec. 317. Milo Creek, Idaho.
Sec. 318. Lake Michigan, Illinois.
Sec. 319. Springfield, Illinois.
Sec. 320. Ogden Dunes, Indiana.
Sec. 321. Saint Joseph River, South Bend, Indiana.
Sec. 322. White River, Indiana.
Sec. 323. Dubuque, Iowa.
Sec. 324. Lake Pontchartrain, Louisiana.
Sec. 325. Larose to Golden Meadow, Louisiana.
Sec. 326. Louisiana State Penitentiary Levee, Louisiana.
Sec. 327. Twelve-Mile Bayou, Caddo Parish, Louisiana.
Sec. 328. West bank of the Mississippi River (east of Harvey Canal), Louisiana.
Sec. 329. Tolchester Channel S-Turn, Baltimore, Maryland.
Sec. 330. Sault Sainte Marie, Chippewa County, Michigan.
Sec. 331. Jackson County, Mississippi.
Sec. 332. Bois Brule Drainage and Levee District, Missouri.
Sec. 333. Meramec River basin, Valley Park Levee, Missouri.
Sec. 334. Missouri River mitigation project, Missouri, Kansas, Iowa, and Nebraska.
Sec. 335. Wood River, Grand Island, Nebraska.
Sec. 336. Absecon Island, New Jersey.
Sec. 337. New York Harbor and adjacent channels, Port Jersey, New Jersey.
Sec. 338. Arthur Kill, New York and New Jersey.
Sec. 339. Kill Van Kull and Newark Bay channels, New York and New Jersey.
Sec. 340. New York City watershed.
Sec. 341. New York State canal system.
Sec. 342. Fire Island Inlet to Montauk Point, New York.
Sec. 343. Broken Bow Lake, Red River basin, Oklahoma.
Sec. 344. Willamette River temperature control, McKenzie Subbasin, Oregon.
Sec. 345. Curwensville Lake, Pennsylvania.
Sec. 346. Delaware River, Pennsylvania and Delaware.
Sec. 347. Mussers Dam, Pennsylvania.
Sec. 348. Philadelphia, Pennsylvania.
Sec. 349. Nine Mile Run, Allegheny County, Pennsylvania.
Sec. 350. Raystown Lake, Pennsylvania.
Sec. 351. South Central Pennsylvania.
Sec. 352. Fox Point hurricane barrier, Providence, Rhode Island.
Sec. 353. Cooper River, Charleston Harbor, South Carolina.
Sec. 354. Clear Creek, Texas.
Sec. 355. Cypress Creek, Texas.
Sec. 356. Dallas floodway extension, Dallas, Texas.
Sec. 357. Upper Jordan River, Utah.
Sec. 358. Elizabeth River, Chesapeake, Virginia.
Sec. 359. Columbia River channel, Washington and Oregon.
Sec. 360. Greenbrier River basin, West Virginia.
Sec. 361. Bluestone Lake, Ohio River basin, West Virginia.
Sec. 362. Moorefield, West Virginia.
Sec. 363. West Virginia and Pennsylvania flood control.
Sec. 364. Project reauthorizations.
Sec. 365. Project deauthorizations.
Sec. 366. American and Sacramento Rivers, California.
Sec. 367. Martin, Kentucky.
Sec. 368. Southern West Virginia pilot program.
Sec. 369. Black Warrior and Tombigbee Rivers, Jackson, Alabama.
Sec. 370. Tropicana Wash and Flamingo Wash, Nevada.
Sec. 371. Comite River, Louisiana.
Sec. 372. St. Marys River, Michigan.
Sec. 373. Charlevoix, Michigan.
Sec. 374. White River basin, Arkansas and Missouri.
Sec. 375. Waurika Lake, Oklahoma, water conveyance facilities.

TITLE IV—STUDIES

Sec. 401. Deep draft harbor cost sharing.
Sec. 402. Boydsville, Arkansas.
Sec. 403. Greers Ferry Lake, Arkansas.

Sec. 404. Del Norte County, California.
Sec. 405. Frazier Creek, Tulare County, California.
Sec. 406. Mare Island Strait, California.
Sec. 407. Strawberry Creek, Berkeley, California.
Sec. 408. Sweetwater Reservoir, San Diego County, California.
Sec. 409. Whitewater River basin, California.
Sec. 410. Destin-Noriega Point, Florida.
Sec. 411. Little Econlackhatchee River basin, Florida.
Sec. 412. Port Everglades, Broward County, Florida.
Sec. 413. Lake Allatoona, Etowah River, and Little River watershed, Georgia.
Sec. 414. Boise, Idaho.
Sec. 415. Goose Creek watershed, Oakley, Idaho.
Sec. 416. Little Wood River, Gooding, Idaho.
Sec. 417. Snake River, Lewiston, Idaho.
Sec. 418. Snake River and Payette River, Idaho.
Sec. 419. Upper Des Plaines River and tributaries, Illinois and Wisconsin.
Sec. 420. Cameron Parish west of Calcasieu River, Louisiana.
Sec. 421. Coastal Louisiana.
Sec. 422. Grand Isle and vicinity, Louisiana.
Sec. 423. Gulf Intracoastal Waterway ecosystem, Chef Menteur to Sabine River, Louisiana.
Sec. 424. Muddy River, Brookline and Boston, Massachusetts.
Sec. 425. Westport, Massachusetts.
Sec. 426. St. Clair River and Lake St. Clair, Michigan.
Sec. 427. St. Clair Shores, Michigan.
Sec. 428. Woodtick Peninsula, Michigan, and Toledo Harbor, Ohio.
Sec. 429. Pascagoula Harbor, Mississippi.
Sec. 430. Tunica Lake weir, Mississippi.
Sec. 431. Yellowstone River, Montana.
Sec. 432. Las Vegas Valley, Nevada.
Sec. 433. Southwest Valley, Albuquerque, New Mexico.
Sec. 434. Cayuga Creek, New York.
Sec. 435. Lake Champlain, New York and Vermont.
Sec. 436. Oswego River basin, New York.
Sec. 437. White Oak River, North Carolina.
Sec. 438. Arcola Creek watershed, Madison, Ohio.
Sec. 439. Cleveland harbor, Cleveland, Ohio.
Sec. 440. Toussaint River, Carroll Township, Ohio.
Sec. 441. Western Lake Erie basin, Ohio, Indiana, and Michigan.
Sec. 442. Schuylkill River, Norristown, Pennsylvania.
Sec. 443. South Carolina coastal areas.
Sec. 444. Santee Delta focus area, South Carolina.
Sec. 445. Waccamaw River, South Carolina.
Sec. 446. Day County, South Dakota.
Sec. 447. Niobrara River and Missouri River, South Dakota.
Sec. 448. Corpus Christi, Texas.
Sec. 449. Mitchell's Cut Channel (Caney Fork Cut), Texas.
Sec. 450. Mouth of Colorado River, Texas.
Sec. 451. Santa Clara River, Utah.
Sec. 452. Mount St. Helens, Washington.
Sec. 453. Kanawha River, Fayette County, West Virginia.
Sec. 454. West Virginia ports.
Sec. 455. John Glenn Great Lakes basin program.
Sec. 456. Great Lakes navigational system.
Sec. 457. Nutrient loading resulting from dredged material disposal.
Sec. 458. Upper Mississippi and Illinois Rivers levees and streambanks protection.
Sec. 459. Upper Mississippi River comprehensive plan.
Sec. 460. Susquehanna River and Upper Chesapeake Bay.

TITLE V—MISCELLANEOUS PROVISIONS

Sec. 501. Corps assumption of NRCS projects.
Sec. 502. Environmental infrastructure.
Sec. 503. Contaminated sediment dredging technology.
Sec. 504. Dam safety.
Sec. 505. Great Lakes remedial action plans.
Sec. 506. Projects for improvement of the environment.
Sec. 507. Maintenance of navigation channels.
Sec. 508. Measurements of Lake Michigan diversions, Illinois.
Sec. 509. Upper Mississippi River environmental management program.
Sec. 510. Atlantic Coast of New York.
Sec. 511. Water control management.
Sec. 512. Beneficial use of dredged material.
Sec. 513. Design and construction assistance.
Sec. 514. Missouri and Middle Mississippi Rivers enhancement project.
Sec. 515. Irrigation diversion protection and fisheries enhancement assistance.
Sec. 516. Innovative technologies for watershed restoration.
Sec. 517. Expedited consideration of certain projects.
Sec. 518. Dog River, Alabama.
Sec. 519. Levees in Elba and Geneva, Alabama.
Sec. 520. Navajo Reservation, Arizona, New Mexico, and Utah.
Sec. 521. Beaver Lake, Arkansas, water supply storage reallocation.
Sec. 522. Beaver Lake trout production facility, Arkansas.
Sec. 523. Chino dairy preserve, California.
Sec. 524. Orange and San Diego Counties, California.
Sec. 525. Rush Creek, Novato, California.
Sec. 526. Santa Cruz Harbor, California.
Sec. 527. Lower St. Johns River Basin, Florida.
Sec. 528. Mayo's Bar Lock and Dam, Coosa River, Rome, Georgia.
Sec. 529. Comprehensive flood impact response modeling system, Coralville Reservoir and Iowa River watershed, Iowa.
Sec. 530. Additional construction assistance in Illinois.
Sec. 531. Kanopolis Lake, Kansas.
Sec. 532. Southern and Eastern Kentucky.
Sec. 533. Southeast Louisiana.
Sec. 534. Snug Harbor, Maryland.
Sec. 535. Welch Point, Elk River, Cecil County, and Chesapeake City, Maryland.
Sec. 536. Cape Cod Canal Railroad Bridge, Buzzards Bay, Massachusetts.
Sec. 537. St. Louis, Missouri.
Sec. 538. Beaver branch of Big Timber Creek, New Jersey.
Sec. 539. Lake Ontario and St. Lawrence River water levels, New York.
Sec. 540. New York-New Jersey Harbor, New York and New Jersey.
Sec. 541. Sea Gate Reach, Coney Island, New York, New York.
Sec. 542. Woodlawn, New York.
Sec. 543. Floodplain mapping, New York.
Sec. 544. Toussaint River, Carroll Township, Ottawa County, Ohio.
Sec. 545. Sardis Reservoir, Oklahoma.
Sec. 546. Skinner Butte Park, Eugene, Oregon.
Sec. 547. Willamette River Basin, Oregon.
Sec. 548. Bradford and Sullivan Counties, Pennsylvania.
Sec. 549. Erie Harbor, Pennsylvania.
Sec. 550. Point Marion Lock and Dam, Pennsylvania.
Sec. 551. Seven Points' Harbor, Pennsylvania.
Sec. 552. Southeastern Pennsylvania.
Sec. 553. Upper Susquehanna-Lackawanna, Pennsylvania, watershed management and restoration study.
Sec. 554. Aguadilla Harbor, Puerto Rico.
Sec. 555. Oahe Dam to Lake Sharpe, South Dakota, study.
Sec. 556. North Padre Island storm damage reduction and environmental restoration project.
Sec. 557. Northern West Virginia.
Sec. 558. Mississippi River Commission.
Sec. 559. Coastal aquatic habitat management.
Sec. 560. Abandoned and inactive noncoal mine restoration.
Sec. 561. Beneficial use of waste tire rubber.
Sec. 562. Site designation.
Sec. 563. Land conveyances.
Sec. 564. McNary Pool, Washington.
Sec. 565. Namings.
Sec. 566. Folsom Dam and Reservoir additional storage and additional flood control studies.
Sec. 567. Wallops Island, Virginia.
Sec. 568. Detroit River, Michigan.
Sec. 569. Northeastern Minnesota.
Sec. 570. Alaska.
Sec. 571. Central West Virginia.
Sec. 572. Sacramento Metropolitan Area watershed restoration, California.
Sec. 573. Onondaga Lake, New York.
Sec. 574. East Lynn Lake, West Virginia.
Sec. 575. Eel River, California.
Sec. 576. North Little Rock, Arkansas.
Sec. 577. Upper Mississippi River, Mississippi Place, St. Paul, Minnesota.
Sec. 578. Dredging of salt ponds in the State of Rhode Island.
Sec. 579. Upper Susquehanna River basin, Pennsylvania and New York.
Sec. 580. Cumberland, Maryland, flood project mitigation.
Sec. 581. City of Miami Beach, Florida.
Sec. 582. Research and development program for Columbia and Snake Rivers salmon survival.
Sec. 583. Larkspur Ferry Channel, California.
Sec. 584. Holes Creek flood control project, Ohio.
Sec. 585. San Jacinto disposal area, Galveston, Texas.
Sec. 586. Water monitoring station.
Sec. 587. Overflow management facility, Rhode Island.
Sec. 588. Lower Chena River, Alaska.
Sec. 589. Numana Dam Fish passage, Nevada.
Sec. 590. Embrey Dam, Virginia.
Sec. 591. Environmental remediation, Front Royal, Virginia.
Sec. 592. Mississippi.
Sec. 593. Central New Mexico.
Sec. 594. Ohio.
Sec. 595. Rural Nevada and Montana.
Sec. 596. Phoenix, Arizona.
Sec. 597. National Harbor, Maryland.

TITLE VI—CHEYENNE RIVER SIOUX TRIBE, LOWER BRULE SIOUX TRIBE, AND STATE OF SOUTH DAKOTA TERRESTRIAL WILDLIFE HABITAT RESTORATION

Sec. 601. Definitions.
Sec. 602. Terrestrial wildlife habitat restoration.
Sec. 603. South Dakota Terrestrial Wildlife Habitat Restoration Trust Fund.
Sec. 604. Cheyenne River Sioux Tribe and Lower Brule Sioux Tribe Terrestrial Wildlife Habitat Restoration Trust Funds.
Sec. 605. Transfer of Federal land to State of South Dakota.
Sec. 606. Transfer of Corps of Engineers land for Indian tribes.
Sec. 607. Administration.
Sec. 608. Study.
Sec. 609. Authorization of appropriations.

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 subsection:

(1) NOME HARBOR IMPROVEMENTS, ALASKA.—The project for navigation, Nome Harbor improvements, Alaska: Report of the Chief of Engineers dated June 8, 1999, as amended by the Chief of Engineers on August 2, 1999, at a total cost of $25,651,000, with an estimated Federal

cost of $20,192,000 and an estimated non-Federal cost of $5,459,000.

(2) 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.

(3) SEWARD HARBOR, ALASKA.—The project for navigation, Seward Harbor, Alaska: Report of the Chief of Engineers dated June 8, 1999, at a total cost of $12,240,000, with an estimated Federal cost of $4,089,000 and an estimated non-Federal cost of $8,151,000.

(4) RIO SALADO (SALT RIVER), PHOENIX AND TEMPE, ARIZONA.—The project for flood control and environmental restoration, Rio Salado (Salt River), Phoenix and Tempe, 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.

(5) 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.

(6) AMERICAN AND SACRAMENTO RIVERS, CALIFORNIA.—

(A) IN GENERAL.—The Folsom Dam Modification portion of the Folsom Modification Plan described in the United States Army Corps of Engineers Supplemental Information Report for the American River Watershed Project, California, dated March 1996, as modified by the report entitled ''Folsom Dam Modification Report, New Outlets Plan,'' dated March 1998, prepared by the Sacramento Area Flood Control Agency, at an estimated cost of $150,000,000, with an estimated Federal cost of $97,500,000 and an estimated non-Federal cost of $52,500,000. The Secretary shall coordinate with the Secretary of the Interior with respect to the design and construction of modifications at Folsom Dam authorized by this paragraph.

(B) REOPERATION MEASURES.—Upon completion of the improvements to Folsom Dam authorized by subparagraph (A), the variable space allocated to flood control within the Reservoir shall be reduced from the current operating range of 400,000-670,000 acre-feet to 400,000-600,000 acre-feet.

(C) MAKEUP OF WATER SHORTAGES CAUSED BY FLOOD CONTROL OPERATION.—The Secretary of the Interior shall enter into, or modify, such agreements with the Sacramento Area Flood Control Agency regarding the operation of Folsom Dam and reservoir as may be necessary in order that, notwithstanding any prior agreement or provision of law, 100 percent of the water needed to make up for any water shortage caused by variable flood control operation during any year at Folsom Dam and resulting in a significant impact on recreation at Folsom Reservoir shall be replaced, to the extent the water is available for purchase, by the Secretary of the Interior.

(D) SIGNIFICANT IMPACT ON RECREATION.—For the purposes of this paragraph, a significant impact on recreation is defined as any impact that results in a lake elevation at Folsom Reservoir below 435 feet above sea level starting on May 15 and ending on September 15 of any given year.

(E) UPDATED FLOOD MANAGEMENT PLAN.—The Secretary, in cooperation with the Secretary of the Interior, shall update the flood management plan for Folsom Dam authorized by section 9159(f)(2) of the Department of Defense Appropriations Act, 1993 (106 Stat. 1946), to reflect the operational capabilities created by the modification authorized by subparagraph (A) and improved weather forecasts based on the Advanced Hydrologic Prediction System of the National Weather Service.

(7) OAKLAND HARBOR, CALIFORNIA.—The project for navigation, Oakland Harbor, California: Report of the Chief of Engineers dated April 21, 1999, at a total cost of $252,290,000, with an estimated Federal cost of $128,081,000 and an estimated non-Federal cost of $124,209,000.

(8) 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.

(9) 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 $140,328,000, with an estimated Federal cost of $44,000,000 and an estimated non-Federal cost of $96,328,000.

(10) 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.

(11) DELAWARE BAY COASTLINE, DELAWARE AND NEW JERSEY-BROADKILL BEACH, DELAWARE.—The project for hurricane and storm damage reduction, 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, and at an estimated average annual cost of $538,200 for periodic nourishment over the 50-year life of the project, with an estimated annual Federal cost of $349,800 and an estimated annual non-Federal cost of $188,400.

(12) DELAWARE BAY COASTLINE, DELAWARE AND NEW JERSEY-PORT MAHON, DELAWARE.—The project for ecosystem restoration, 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, and at an estimated average annual cost of $234,000 for periodic nourishment over the 50-year life of the project, with an estimated annual Federal cost of $152,000 and an estimated annual non-Federal cost of $82,000.

(13) DELAWARE BAY COASTLINE, DELAWARE AND NEW JERSEY-ROOSEVELT INLET-LEWES BEACH, DELAWARE.—The project for navigation mitigation and hurricane and storm damage reduction, Delaware Bay coastline, Delaware and New Jersey-Roosevelt Inlet-Lewes Beach, Delaware: Report of the Chief of Engineers dated February 3, 1999, 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, and at an estimated average annual cost of $196,000 for periodic nourishment over the 50-year life of the project, with an estimated annual Federal cost of $152,000 and an estimated annual non-Federal cost of $44,000.

(14) DELAWARE BAY COASTLINE, DELAWARE AND NEW JERSEY-VILLAS AND VICINITY, NEW JERSEY.—The project for shore protection and ecosystem restoration, Delaware Bay coastline, Delaware and New Jersey-Villas and vicinity, New Jersey: Report of the Chief of Engineers dated April 21, 1999, 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) DELAWARE COAST FROM CAPE HENELOPEN TO FENWICK ISLAND, BETHANY BEACH/SOUTH BETHANY BEACH, DELAWARE.—The project for hurricane and storm damage reduction, Delaware Coast from Cape Henelopen to Fenwick Island, Bethany Beach/South Bethany Beach, Delaware: Report of the Chief of Engineers dated April 21, 1999, 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, and at an estimated average annual cost of $1,584,000 for periodic nourishment over the 50-year life of the project, with an estimated annual Federal cost of $1,030,000 and an estimated annual non-Federal cost of $554,000.

(16) HILLSBORO AND OKEECHOBEE AQUIFER, 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.

(17) JACKSONVILLE HARBOR, FLORIDA.—The project for navigation, Jacksonville Harbor, Florida: Report of the Chief of Engineers dated April 21, 1999, 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.

(18) 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.

(19) 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.

(20) BEARGRASS CREEK, KENTUCKY.—The project for flood control, Beargrass Creek, Kentucky: Report of the Chief of Engineers dated May 12, 1998, at a total cost of $11,171,300, with an estimated Federal cost of $7,261,500 and an estimated non-Federal cost of $3,909,800.

(21) 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.

(22) 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 toward, 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.

(23) RED LAKE RIVER AT CROOKSTON, MINNESOTA.—The project for flood control, 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.

(24) 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: Report of the Chief of Engineers dated April 21, 1999, 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.

(25) LOWER CAPE MAY MEADOWS, CAPE MAY POINT, NEW JERSEY.—The project for navigation mitigation, ecosystem restoration, shore protection, and hurricane and storm damage reduction, Lower Cape May Meadows, Cape May Point, New Jersey: Report of the Chief of Engineers dated April 5, 1999, 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, and at an estimated average annual cost of $1,114,000 for periodic nourishment over the 50-year life of the project, with an estimated annual Federal cost of $897,000 and an estimated annual non-Federal cost of $217,000.

(26) TOWNSENDS INLET TO CAPE MAY INLET, NEW JERSEY.—The project for hurricane and storm damage reduction, shore protection, and ecosystem restoration, 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, and at an estimated average annual cost of $2,000,000 for periodic nourishment over the 50-year life of the project, with an estimated annual Federal cost of $1,300,000 and an estimated annual non-Federal cost of $700,000.

(27) GUANAJIBO RIVER, PUERTO RICO.—

(A) IN GENERAL.—The project for flood control, Guanajibo River, Puerto Rico: Report of the Chief of Engineers dated February 27, 1996, at a total cost of $27,031,000, with an estimated Federal cost of $20,273,250 and an estimated non-Federal cost of $6,757,750.

(B) COST SHARING.—Cost sharing for the project shall be determined in accordance with section 103(a) of the Water Resources Development Act of 1986 (33 U.S.C. 2213(a)), as in effect on October 11, 1996.

(28) RIO GRANDE DE MANATI, BARCELONETA, PUERTO RICO.—The project for flood control, Rio Grande De Manati, Barceloneta, Puerto Rico: Report of the Chief of Engineers dated January 22, 1999, at a total cost of $13,491,000, with an estimated Federal cost of $8,785,000 and an estimated non-Federal cost of $4,706,000.

(29) RIO NIGUA, SALINAS, PUERTO RICO.—The project for flood control, Rio Nigua, Salinas, Puerto Rico: Report of the Chief of Engineers dated April 15, 1997, at a total cost of $13,702,000, with an estimated Federal cost of $7,645,000 and an estimated non-Federal cost of $6,057,000.

(30) 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 if a favorable report of the Chief is completed not later than December 31, 1999:

(1) HERITAGE HARBOR, WRANGELL, ALASKA.—The project for navigation, Heritage Harbor, Wrangell, Alaska, at a total cost of $24,556,000, with an estimated Federal cost of $14,447,000 and estimated non-Federal cost of $10,109,000.

(2) ARROYO PASAJERO, CALIFORNIA.—The project for flood damage reduction, Arroyo Pasajero, California, at a total cost of $260,700,000, with an estimated Federal cost of $170,100,000 and an estimated non-Federal cost of $90,600,000.

(3) HAMILTON AIRFIELD, CALIFORNIA.—The project for environmental restoration, 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) 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 Federal cost of $11,635,000 and an estimated non-Federal cost of $6,265,000.

(5) DELAWARE BAY COASTLINE, DELAWARE AND NEW JERSEY: OAKWOOD BEACH, NEW JERSEY.—The project for shore protection, Delaware Bay coastline, Delaware and New Jersey: Oakwood Beach, New Jersey, at a total cost of $3,360,000, with an estimated Federal cost of $2,184,000 and an estimated non-Federal cost of $1,176,000, and at an estimated average annual cost of $81,000 for periodic nourishment over the 50-year life of the project, with an estimated annual Federal cost of $53,000 and an estimated annual non-Federal cost of $28,000.

(6) DELAWARE BAY COASTLINE, DELAWARE AND NEW JERSEY: REEDS BEACH AND PIERCES POINT, NEW JERSEY.—The project for shore protection and ecosystem restoration, Delaware Bay coastline, Delaware and New Jersey: 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.

(7) 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.

(8) PONCE DE LEON INLET, FLORIDA.—The project for navigation and related purposes, 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.

(9) SAVANNAH HARBOR EXPANSION, GEORGIA.—

(A) IN GENERAL.—Subject to subparagraph (B), the project for navigation, Savannah Harbor expansion, Georgia, including implementation of the mitigation plan, with such modifications as the Secretary considers 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 of Georgia, State of South Carolina, regional, and local entities, reviews and approves an environmental impact statement for the project 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 an associated mitigation plan as required under section 906(a) of the Water Resources Development Act of 1986 (33 U.S.C. 2283(a)); and

(ii) the Secretary of the Interior, the Secretary of Commerce, the Administrator of the Environmental Protection Agency, and the Secretary approve the selected plan and determine that the associated mitigation plan adequately addresses the potential environmental impacts of the project.

(C) MITIGATION REQUIREMENTS.—The mitigation plan shall be implemented before or concurrently with construction of the project.

(10) DES PLAINES RIVER, ILLINOIS.—The project for flood control, Des Plaines River, Illinois, at a total cost of $48,800,000 with an estimated Federal cost of $31,700,000 and an estimated non-Federal cost of $17,100,000.

(11) REELFOOT LAKE, KENTUCKY AND TENNESSEE.—The project for ecosystem restoration, Reelfoot Lake, Kentucky and Tennessee, at a total cost of $35,287,000, with an estimated Federal cost of $23,601,000 and an estimated non-Federal cost of $11,686,000.

(12) BRIGANTINE INLET TO GREAT EGG HARBOR, BRIGANTINE ISLAND, NEW JERSEY.—The project for hurricane and storm damage reduction and 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, and at an estimated average annual cost of $465,000 for periodic nourishment over the 50-year life of the project, with an estimated annual Federal cost of $302,000 and an estimated annual non-Federal cost of $163,000.

(13) COLUMBIA RIVER CHANNEL, OREGON AND WASHINGTON.—The project for navigation, Columbia River Channel, Oregon and Washington, at a total cost of $183,623,000, with an estimated Federal cost of $106,132,000 and an estimated non-Federal cost of $77,491,000.

(14) 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.

(15) 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. SMALL FLOOD CONTROL PROJECTS.

(a) IN GENERAL.—The Secretary shall conduct a study for each of the following projects and, if the Secretary determines that a project is feasible, may carry out the project under section 205 of the Flood Control Act of 1948 (33 U.S.C. 701s).

(1) EYAK RIVER, CORDOVA, ALASKA.—Project for flood damage reduction, Eyak River, Cordova, Alaska.

(2) SALCHA RIVER AND PILEDRIVER SLOUGH, FAIRBANKS, ALASKA.—Project for flood damage reduction to protect against surface water flooding, lower Salcha River and Piledriver Slough from its headwaters at the mouth of the Salcha River to the Chena Lakes Flood Control Project, Fairbanks, Alaska.

(3) LANCASTER, CALIFORNIA.—Project for flood control, Lancaster, California, westside stormwater retention facility.

(4) MAGPIE CREEK, CALIFORNIA.—Project for flood control, Magpie Creek, California, located within the boundaries of McClellan Air Force Base.

(5) GATEWAY TRIANGLE AREA, FLORIDA.—Project for flood control, Gateway Triangle area, Collier County, Florida.

(6) PLANT CITY, FLORIDA.—Project for flood control, Plant City, Florida.

(7) STONE ISLAND, LAKE MONROE, FLORIDA.—Project for flood control, Stone Island, Lake Monroe, Florida.

(8) OHIO RIVER, ILLINOIS.—Project for flood control, Ohio River, Illinois.

(9) HAMILTON DAM, MICHIGAN.—Project for flood control, Hamilton Dam, Michigan.

(10) 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.

(11) IRONDEQUOIT CREEK, NEW YORK.—Project for flood control, Irondequoit Creek watershed, New York.

(12) OWASCO LAKE SEAWALL, NEW YORK.—Project for flood control, Owasco Lake seawall, New York.

(13) PORT CLINTON, OHIO.—Project for flood control, Port Clinton, Ohio.

(14) ABINGTON TOWNSHIP, PENNSYLVANIA.—Project for flood control, Baeder and Wanamaker Roads, Abington Township, Pennsylvania.

(15) PORT INDIAN, WEST NORRITON TOWNSHIP, MONTGOMERY COUNTY, PENNSYLVANIA.—Project for flood control, Port Indian, West Norriton Township, Montgomery County, Pennsylvania.

(16) PORT PROVIDENCE, UPPER PROVIDENCE TOWNSHIP, PENNSYLVANIA.—Project for flood control, Port Providence, Upper Providence Township, Pennsylvania.

(17) SPRINGFIELD TOWNSHIP, MONTGOMERY COUNTY, PENNSYLVANIA.—Project for flood control, Springfield Township, Montgomery County, Pennsylvania.

(18) TAWNEY RUN CREEK, PENNSYLVANIA.—Project for flood control, Tawney Run Creek, Allegheny County, Pennsylvania.

(19) WISSAHICKON WATERSHED, PENNSYLVANIA.—Project for flood control, Wissahickon watershed, Philadelphia, Pennsylvania.

(20) TIOGA COUNTY, PENNSYLVANIA.—Project for flood control, Tioga River and Cowanesque River and their tributaries, Tioga County, Pennsylvania.

(21) FIRST CREEK, KNOXVILLE, TENNESSEE.—Project for flood control, First Creek, Knoxville, Tennessee.

(22) METRO CENTER LEVEE, CUMBERLAND RIVER, NASHVILLE, TENNESSEE.—Project for flood control, Metro Center Levee, Cumberland River, Nashville, Tennessee.

(b) FESTUS AND CRYSTAL CITY, MISSOURI.—

(1) MAXIMUM FEDERAL EXPENDITURE.—The maximum amount of Federal funds that may be expended for the project for flood control, Festus and Crystal City, Missouri, is $10,000,000.

(2) REVISION OF PROJECT COOPERATION AGREEMENT.—The Secretary shall revise the project cooperation agreement for the project described in paragraph (1) to take into account the change in the Federal participation in the project under paragraph (1).

SEC. 103. SMALL BANK STABILIZATION PROJECTS.

(a) IN GENERAL.—The Secretary shall conduct a study for each of the following projects and, if the Secretary determines that a project is feasible, may carry out the project under section 14 of the Flood Control Act of 1946 (33 U.S.C. 701r):

(1) ARCTIC OCEAN, BARROW, ALASKA.—Project for storm damage reduction and coastal erosion, Barrow, Alaska.

(2) SAINT JOSEPH RIVER, INDIANA.—Project for streambank erosion control, Saint Joseph River, Indiana.

(3) SAGINAW RIVER, BAY CITY, MICHIGAN.—Project for streambank erosion control, Saginaw River, Bay City, Michigan.

(4) BIG TIMBER CREEK, NEW JERSEY.—Project for streambank erosion control, Big Timber Creek, New Jersey.

(5) LAKE SHORE ROAD, ATHOL SPRINGS, NEW YORK.—Project for streambank erosion control, Lake Shore Road, Athol Springs, New York.

(6) MARIST COLLEGE, POUGHKEEPSIE, NEW YORK.—Project for streambank erosion control, Marist College, Poughkeepsie, New York.

(7) MONROE COUNTY, OHIO.—Project for streambank erosion control, Monroe County, Ohio.

(8) GREEN VALLEY, WEST VIRGINIA.—Project for streambank erosion control, Green Valley, West Virginia.

(b) 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).

SEC. 104. SMALL NAVIGATION PROJECTS.

The Secretary shall conduct a study for each of the following projects and, if the Secretary determines that a project is feasible, may carry out the project under section 107 of the River and Harbor Act of 1960 (33 U.S.C. 577).

(1) GRAND MARAIS, ARKANSAS.—Project for navigation, Grand Marais, Arkansas.

(2) FIELDS LANDING CHANNEL, HUMBOLDT HARBOR, CALIFORNIA.—Project for navigation, Fields Landing Channel, Humboldt Harbor, California.

(3) SAN MATEO (PILLAR POINT HARBOR), CALIFORNIA.—Project for navigation, San Mateo (Pillar Point Harbor), California.

(4) AGANA MARINA, GUAM.—Project for navigation, Agana Marina, Guam.

(5) AGAT MARINA, GUAM.—Project for navigation, Agat Marina, Guam.

(6) APRA HARBOR FUEL PIERS, GUAM.—Project for navigation, Apra Harbor Fuel Piers, Guam.

(7) APRA HARBOR PIER F–6, GUAM.—Project for navigation, Apra Harbor Pier F–6, Guam.

(8) APRA HARBOR SEAWALL, GUAM.—Project for navigation including a seawall, Apra Harbor, Guam.

(9) GUAM HARBOR, GUAM.—Project for navigation, Guam Harbor, Guam.

(10) ILLINOIS RIVER NEAR CHAUTAUQUA PARK, ILLINOIS.—Project for navigation, Illinois River near Chautauqua Park, Illinois.

(11) WHITING SHORELINE WATERFRONT, WHITING, INDIANA.—Project for navigation, Whiting shoreline waterfront, Whiting, Indiana.

(12) UNION RIVER, ELLSWORTH, MAINE.—Project for navigation, Union River, Ellsworth, Maine.

(13) NARAGUAGUS RIVER, MACHIAS, MAINE.—Project for navigation, Naraguagus River, Machias, Maine.

(14) DETROIT RIVER, MICHIGAN.—Project for navigation, Detroit River, Michigan, including dredging and removal of a reef.

(15) FORTESCUE INLET, DELAWARE BAY, NEW JERSEY.—Project for navigation, Fortescue Inlet, Delaware Bay, New Jersey.

(16) BRADDOCK BAY, GREECE, NEW YORK.—Project for navigation, Braddock Bay, Greece, New York.

(17) BUFFALO AND LASALLE PARK, NEW YORK.—Project for navigation, Buffalo and LaSalle Park, New York.

(18) STURGEON POINT, NEW YORK.—Project for navigation, Sturgeon Point, New York.

(19) FAIRPORT HARBOR, OHIO.—Project for navigation, Fairport Harbor, Ohio, including a recreation channel.

SEC. 105. SMALL PROJECTS FOR IMPROVEMENT OF THE QUALITY OF THE ENVIRONMENT.

(a) IN GENERAL.—The Secretary shall conduct a study for each of the following projects and, if the Secretary determines that a project is appropriate, may carry out the project under section 1135(a) of the Water Reseources Development Act of 1986 (33 U.S.C. 2309a(a):

(1) ILLINOIS RIVER IN THE VICINITY OF HAVANA, ILLINOIS.—Project for improvement of the quality of the environment, Illinois River in the vicinity of Havana, Illinois.

(2) KNITTING MILL CREEK, VIRGINIA.—Project for improvement of the quality of the environment, Knitting Mill Creek, Virginia.

(b) PINE FLAT DAM, KINGS RIVER, CALIFORNIA.—Under authority of section 1135(a) of the Water Resources Development Act of 1986 (33 U.S.C. 2309a(a)), 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. 106. SMALL AQUATIC ECOSYSTEM RESTORATION PROJECTS.

The Secretary is authorized to carry out the following projects under section 206 of the Water Resources Development Act of 1996 (33 U.S.C. 2330):

(1) CONTRA COSTA COUNTY, BAY DELTA, CALIFORNIA.—Project for aquatic ecosystem restoration, Contra Costa County, Bay Delta, California.

(2) INDIAN RIVER, FLORIDA.—Project for aquatic ecosystem restoration and lagoon restoration, Indian River, Florida.

(3) LITTLE WEKIVA RIVER, FLORIDA.—Project for aquatic ecosystem restoration and erosion control, Little Wekiva River, Florida.

(4) COOK COUNTY, ILLINOIS.—Project for aquatic ecosystem restoration and lagoon restoration and protection, Cook County, Illinois.

(5) GRAND BATTURE ISLAND, MISSISSIPPI.—Project for aquatic ecosystem restoration, Grand Batture Island, Mississippi.

(6) HANCOCK, HARRISON, AND JACKSON COUNTIES, MISSISSIPPI.—Project for aquatic ecosystem restoration and reef restoration along the Gulf Coast, Hancock, Harrison, and Jackson Counties, Mississippi.

(7) MISSISSIPPI RIVER AND RIVER DES PERES, ST. LOUIS, MISSOURI.—Project for aquatic ecosystem restoration and recreation, Mississippi River and River Des Peres, St. Louis, Missouri.

(8) HUDSON RIVER, NEW YORK.—Project for aquatic ecosystem restoration, Hudson River, New York.

(9) ONEIDA LAKE, NEW YORK.—Project for aquatic ecosystem restoration, Oneida Lake, Oneida County, New York.

(10) OTSEGO LAKE, NEW YORK.—Project for aquatic ecosystem restoration, Otsego Lake, Otsego County, New York.

(11) NORTH FORK OF YELLOW CREEK, OHIO.—Project for aquatic ecosystem restoration, North Fork of Yellow Creek, Ohio.

(12) WHEELING CREEK WATERSHED, OHIO.—Project for aquatic ecosystem restoration, Wheeling Creek watershed, Ohio.

(13) SPRINGFIELD MILLRACE, OREGON.—Project for aquatic ecosystem restoration, Springfield Millrace, Oregon.

(14) UPPER AMAZON CREEK, OREGON.—Project for aquatic ecosystem restoration, Upper Amazon Creek, Oregon.

(15) LAKE ONTELAUNEE RESERVOIR, BERKS COUNTY, PENNSYLVANIA.—Project for aquatic ecosystem restoration and distilling pond facilities, Lake Ontelaunee Reservoir, Berks County, Pennsylvania.

(16) BLACKSTONE RIVER BASIN, RHODE ISLAND AND MASSACHUSETTS.—Project for aquatic ecosystem restoration and fish passage facilities, Blackstone River Basin, Rhode Island and Massachusetts.

TITLE II—GENERAL PROVISIONS

SEC. 201. 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. 202. USE OF NON-FEDERAL FUNDS FOR COMPILING AND DISSEMINATING INFORMATION ON FLOODS AND FLOOD DAMAGE.

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. 203. 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. 204. SEDIMENT DECONTAMINATION TECHNOLOGY.

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 be intended to 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.'';

(2) in subsection (c), by striking the first sentence and inserting the following: ''There is authorized to be appropriated to carry out this section $22,000,000 to complete technology testing, technology commercialization, and the development of full scale processing facilities within the New York/New Jersey Harbor.''; and

(3) by adding at the end the following:

''(e) SUPPORT.—In carrying out the program under this section, the Secretary is encouraged to use contracts, cooperative agreements, and grants with colleges and universities and other non-Federal entities.''.

SEC. 205. CONTROL OF AQUATIC PLANTS.

Section 104 of the River and Harbor Act of 1958 (33 U.S.C. 610) is amended—

(1) in the first sentence of subsection (a), by striking ''water-hyacinth, alligatorweed, Eurasian water milfoil, melaleuca, and other obnoxious aquatic plant growths, from'' and inserting ''noxious aquatic plant growths from'';

(2) in the first sentence of subsection (b), by striking ''$12,000,000'' and inserting ''$15,000,000.''; and

(3) by adding at the end the following:

''(c) SUPPORT.—In carrying out the program under this section, the Secretary is encouraged to use contracts, cooperative agreements, and grants with colleges and universities and other non-Federal entities.''.

SEC. 206. USE OF CONTINUING CONTRACTS FOR CONSTRUCTION OF CERTAIN PROJECTS.

(a) IN GENERAL.—Notwithstanding any other provision of law, the Secretary shall not implement a fully allocated funding policy with respect to a water resource project if initiation of construction has occurred but sufficient funds are not available to complete the project.

(b) CONTINUING CONTRACTS.—The Secretary shall enter into a continuing contract for a project described in subsection (a).

(c) INITIATION OF CONSTRUCTION CLARIFIED.—For the purposes of this section, initiation of construction for a project occurs on the date of enactment of an Act that appropriates funds for the project from 1 of the following appropriation accounts:

(1) Construction, General.

(2) Operation and Maintenance, General.

(3) Flood Control, Mississippi River and Tributaries.

SEC. 207. 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. 208. EVERGLADES AND SOUTH FLORIDA ECOSYSTEM RESTORATION.

(a) EXTENSION OF PROGRAM.—Section 528(b)(3) of the Water Resources Development Act of 1996 is amended—

(1) in subparagraph (B) (110 Stat. 3769), by striking ''1999'' and inserting ''2003''; and

(2) in subparagraph (C)(i) (110 Stat. 3769), by striking ''1999'' and inserting ''2003''.

(b) CREDIT AND REIMBURSEMENT OF PAST AND FUTURE ACTIVITIES.—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 provide credit to or reimburse the non-Federal project sponsor (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 project sponsor 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.''.

(c) 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: ''if the Secretary determines that the acquisition is compatible with and an integral component of the Everglades and South Florida ecosystem restoration, including potential acquisition of land or interests in land in the Caloosahatchee River basin or other areas''.

(d) IN-KIND WORK.—Section 528(e)(4) of the Water Resources Development Act of 1996 (110 Stat. 3770) is amended—

(1) by striking ''Regardless'' and inserting the following:

''(1) LAND ACQUISITION.—Regardless''; and

(2) by adding at the end the following:

''(2) IN-KIND WORK.—

''(A) IN GENERAL.—During the preconstruction, engineering, and design phase and the construction phase of the Central and Southern Florida Project, the Secretary shall allow credit against the non-Federal share of the cost of activities described in subsection (b) for work performed by non-Federal interests at the request of the Secretary in furtherance of the design of features included in the comprehensive plan under that subsection.

''(B) AUDITS.—In-kind work to be credited under subparagraph (A) shall be subject to audit.''.

SEC. 209. BENEFICIAL USES OF DREDGED MATERIAL.

Section 204 of the Water Resources Development Act of 1992 (33 U.S.C. 2326) is amended—

(1) in subsection (c), by striking ''cooperative agreement in accordance with the requirements of section 221 of the Flood Control Act of 1970'' and inserting ''binding agreement with the Secretary''; and

(2) 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. 210. AQUATIC ECOSYSTEM RESTORATION.

Section 206 of the Water Resources Development Act of 1996 (33 U.S.C. 2330) is amended—

(1) in subsection (b)—

(A) by striking ''Non-Federal'' and inserting the following:

''(1) IN GENERAL.—Non-Federal''; and

(B) by adding at the end the following:

''(2) FORM.—Before October 1, 2003, the Federal share of the cost of a project under this section may be provided in the form of reimbursements of project costs.''; and

(2) in subsection (c)—

(A) by striking ''Construction'' and inserting the following:

''(1) IN GENERAL.—Construction''; and

(B) 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. 211. 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, 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) Lower St. Johns River basin, Florida.

''(21) Illinois River watershed, Illinois.

''(22) Truckee River basin, Nevada.

''(23) Walker River basin, Nevada.

''(24) Bronx River watershed, New York.

''(25) Catawba River watershed, North Carolina.

''(26) Columbia Slough watershed, Oregon.

''(27) Cabin Creek basin, West Virginia.'';

(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, a non-Federal interest may include a nonprofit entity, with the consent of the affected local government.''.

SEC. 212. FLOOD MITIGATION AND RIVERINE RESTORATION PROGRAM.

(a) IN GENERAL.—The Secretary may undertake a program for the purpose of conducting projects to reduce flood hazards and restore the natural functions and values of rivers throughout the United States.

(b) STUDIES AND PROJECTS.—

(1) AUTHORITY.—In carrying out the program, the Secretary may conduct studies to identify appropriate flood damage reduction, conservation, and restoration measures and may design and implement projects described in subsection (a).

(2) CONSULTATION AND COORDINATION.—The studies and projects carried out under this section shall be conducted, to the maximum extent practicable, in consultation and coordination with the Federal Emergency Management Agency and other appropriate Federal agencies, and in consultation and coordination with appropriate State and local agencies and tribes.

(3) NONSTRUCTURAL APPROACHES.—The studies and projects shall emphasize, to the maximum extent practicable and appropriate, nonstructural approaches to preventing or reducing flood damages.

(4) PARTICIPATION.—The studies and projects shall be conducted, to the maximum extent practicable, in cooperation with State and local agencies and tribes to ensure the coordination of local flood damage reduction or riverine and wetland restoration studies with projects that conserve, restore, and manage hydrologic and hydraulic regimes and restore the natural functions and values of floodplains.

(c) COST-SHARING REQUIREMENTS.—

(1) STUDIES.—Studies conducted under this section shall be subject to cost sharing in accordance with section 105 of the Water Resources Development Act of 1986 (33 U.S.C. 2215).

(2) ENVIRONMENTAL RESTORATION AND NONSTRUCTURAL FLOOD CONTROL PROJECTS.—

(A) IN GENERAL.—The non-Federal interests shall pay 35 percent of the cost of any environmental restoration or nonstructural flood control project carried out under this section.

(B) ITEMS PROVIDED BY NON-FEDERAL INTERESTS.—The non-Federal interests shall provide

all land, easements, rights-of-way, dredged material disposal areas, and relocations necessary for such projects.

(C) CREDIT.—The value of such land, easements, rights-of-way, dredged material disposal areas, and relocations shall be credited toward the payment required under this paragraph.

(3) STRUCTURAL FLOOD CONTROL PROJECTS.—Any structural flood control projects carried out under this section shall be subject to cost sharing in accordance with section 103(a) of the Water Resources Development Act of 1986 (33 U.S.C. 2213(a)).

(4) OPERATION AND MAINTENANCE.—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.

(d) PROJECT JUSTIFICATION.—

(1) IN GENERAL.—Notwithstanding any other provision of law or requirement for economic justification established under section 209 of the Flood Control Act of 1970 (42 U.S.C. 1962–2), 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) ESTABLISHMENT OF SELECTION AND RATING CRITERIA AND POLICIES.—

(A) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Secretary, in cooperation with State and local agencies and tribes, shall—

(i) develop, and submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Environment and Public Works of the Senate, criteria for selecting and rating projects to be carried out under this section; and

(ii) establish policies and procedures for carrying out the studies and projects undertaken under this section.

(B) CRITERIA.—The criteria referred to in subparagraph (A)(i) shall include, as a priority, the extent to which the appropriate State government supports the project.

(e) PRIORITY AREAS.—In carrying out this section, the Secretary shall examine appropriate locations, including—

(1) Pima County, Arizona, at Paseo De Las Iglesias and Rillito River;

(2) Coachella Valley, Riverside County, California;

(3) Los Angeles and San Gabriel Rivers, California;

(4) Murrieta Creek, California;

(5) Napa River Valley watershed, California, at Yountville, St Helena, Calistoga, and American Canyon;

(6) Santa Clara basin, California, at Upper Guadalupe River and Tributaries, San Francisquito Creek, and Upper Penitencia Creek;

(7) Pond Creek, Kentucky;

(8) Red River of the North, Minnesota, North Dakota, and South Dakota;

(9) Connecticut River, New Hampshire;

(10) Pine Mount Creek, New Jersey;

(11) Southwest Valley, Albuquerque, New Mexico;

(12) Upper Delaware River, New York;

(13) Briar Creek, North Carolina;

(14) Chagrin River, Ohio;

(15) Mill Creek, Cincinnati, Ohio;

(16) Tillamook County, Oregon,

(17) Willamette River basin, Oregon;

(18) Blair County, Pennsylvania, at Altoona and Frankstown Township;

(19) Delaware River, Pennsylvania;

(20) Schuylkill River, Pennsylvania;

(21) Providence County, Rhode Island;

(22) Shenandoah River, Virginia; and

(23) Lincoln Creek, Wisconsin.

(f) PROGRAM REVIEW.—

(1) IN GENERAL.—The program established under this section shall be subject to an independent review to evaluate the efficacy of the program in achieving the dual goals of flood hazard mitigation and riverine restoration.

(2) REPORT.—Not later than April 15, 2003, 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 on the findings of the review conducted under this subsection with any recommendations concerning continuation of the program.

(g) MAXIMUM FEDERAL COST PER PROJECT.—Not more than $30,000,000 may be expended by the United States on any single project under this section.

(h) PROCEDURE.—

(1) ALL PROJECTS.—The Secretary shall not implement any project under this section until—

(A) the Secretary submits 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 (d)(1); and

(B) 21 calendar days have elapsed after the date on which the notification was received by the committees.

(2) PROJECTS EXCEEDING $15,000,000.—

(A) LIMITATION ON APPROPRIATIONS.—No appropriation shall be made to construct any project under this section the total Federal cost of construction of which exceeds $15,000,000 if the project has not been approved by resolutions adopted by the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Environment and Public Works of the Senate.

(B) REPORT.—For the purpose of securing consideration of approval under this paragraph, the Secretary shall submit a report on the proposed project, including all relevant data and information on all costs.

(i) AUTHORIZATION OF APPROPRIATIONS.—

(1) IN GENERAL.—There are authorized to be appropriated to carry out this section—

(A) $20,000,000 for fiscal year 2001;

(B) $30,000,000 for fiscal year 2002; and

(C) $50,000,000 for each of fiscal years 2003 through 2005.

(2) FULL FUNDING.—All studies and projects carried out under this section from Army Civil Works appropriations shall be fully funded within the program funding levels provided in this subsection.

SEC. 213. SHORE MANAGEMENT PROGRAM.

(a) REVIEW.—The Secretary shall review the implementation of the Corps of Engineers shore management program, with particular attention to—

(1) inconsistencies in implementation among the divisions and districts of the Corps of Engineers; and

(2) complaints by or potential inequities regarding property owners in the Savannah District, including an accounting of the number and disposition of complaints in the Savannah District during the 5-year period preceding the date of enactment of this Act.

(b) REPORT.—As expeditiously as practicable, but not later than 1 year 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 describing the results of the review under subsection (a).

SEC. 214. SHORE DAMAGE PREVENTION OR MITIGATION.

Section 111 of the River and Harbor Act of 1968 (33 U.S.C. 426i) is amended—

(1) in the first sentence—

(A) by striking ''The Secretary'' and inserting ''(a) IN GENERAL.—The Secretary''; and

(B) by inserting after ''navigation works'' the following: ''and shore damage attributable to the Atlantic Intracoastal Waterway and the Gulf Intracoastal Waterway'';

(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. 215. SHORE PROTECTION.

(a) PERIODIC NOURISHMENT.—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.—

''(A) IN GENERAL.—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 the project, or any measure for shore protection or beach erosion control for the project, that is carried out—

''(i) after January 1, 2001, shall be 40 percent;

''(ii) after January 1, 2002, shall be 45 percent; and

''(iii) after January 1, 2003, shall be 50 percent.

''(B) BENEFITS TO PRIVATELY OWNED SHORES.—All costs assigned to benefits of periodic nourishment projects or measures 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 the non-Federal interest.

''(C) BENEFITS TO FEDERALLY OWNED SHORES.—All costs assigned to the protection of federally owned shores for periodic nourishment measures shall be borne by the United States.''.

(b) OUTER CONTINENTAL SHELF.—

(1) USE OF SAND FROM OUTER CONTINENTAL SHELF.—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 striking ''an agency of the Federal Government'' and inserting ''a Federal, State, or local government agency''.

(2) REIMBURSEMENT OF 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.

(c) REPORT ON SHORES OF THE UNITED STATES.—

(1) IN GENERAL.—Not later than 3 years after the date of enactment of this Act, the Secretary shall report to Congress on the state of the shores of the United States.

(2) CONTENTS.—The report shall include—

(A) a description of—

(i) the extent of, and economic and environmental effects caused by, erosion and accretion along the shores of the United States; and

(ii) the causes of such erosion and accretion;

(B) a description of resources committed by Federal, State, and local governments to restore and renourish shores;

(C) a description of the systematic movement of sand along the shores of the United States; and

(D) recommendations regarding—

(i) appropriate levels of Federal and non-Federal participation in shore protection; and

(ii) use of a systems approach to sand management.

(3) USE OF SPECIFIC LOCATION DATA.—In developing the report, the Secretary shall use data from specific locations on the coasts of the Atlantic Ocean, Pacific Ocean, Great Lakes, and Gulf of Mexico.

(d) NATIONAL COASTAL DATA BANK.—

(1) ESTABLISHMENT OF DATA BANK.—Not later than 2 years after the date of enactment of this Act, the Secretary shall establish a national coastal data bank containing data on the geophysical and climatological characteristics of the shores of the United States.

(2) CONTENT.—To the extent practicable, the national coastal data bank shall include data regarding current and predicted shore positions, information on federally authorized shore protection projects, and data on the movement of sand along the shores of the United States, including impediments to such movement caused by natural and manmade features.

(3) ACCESS.—The national coastal data bank shall be made readily accessible to the public.

SEC. 216. FLOOD PREVENTION COORDINATION.

Section 206 of the Flood Control Act of 1960 (33 U.S.C. 709a) 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) FLOOD PREVENTION COORDINATION.—The Secretary shall coordinate with the Director of the Federal Emergency Management Agency and the heads of other Federal agencies to ensure that flood control projects and plans are complementary and integrated to the extent practicable and appropriate.''.

SEC. 217. 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).

(c) BOLIVAR PENINSULA, JEFFERSON, CHAMBERS, AND GALVESTON COUNTIES, TEXAS.—The Secretary may design and construct a shore protection project between the south jetty of the Sabine Pass Channel and the north jetty of the Galveston Harbor Entrance Channel in Jefferson, Chambers, and Galveston Counties, Texas, including beneficial use of dredged material from Federal navigation projects as provided under section 145 of the Water Resources Development Act of 1976 (33 U.S.C. 426j).

(d) GALVESTON BEACH, GALVESTON COUNTY, TEXAS.—The Secretary may design and construct a shore protection project between the Galveston South Jetty and San Luis Pass, Galveston County, Texas, using innovative nourishment techniques, including beneficial use of dredged material from Federal navigation projects as provided under section 145 of the Water Resources Development Act of 1976 (33 U.S.C. 426j).

(e) ROLLOVER PASS, GALVESTON COUNTY, TEXAS.—The Secretary may place dredged material from the Gulf Intracoastal Waterway on the beaches along Rollover Pass, Galveston County, Texas, to stabilize beach erosion as provided under section 145 of the Water Resources Development Act of 1976 (33 U.S.C. 426j).

SEC. 218. ANNUAL PASSES FOR RECREATION.

Section 208(c)(4) of the Water Resources Development Act of 1996 (16 U.S.C. 460d–3 note; 110 Stat. 3681) is amended by striking ''later of December 31, 1999, or the date of transmittal of the report under paragraph (3)'' and inserting ''December 31, 2003''.

SEC. 219. NONSTRUCTURAL FLOOD CONTROL PROJECTS.

(a) ANALYSIS OF BENEFITS.—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 inserting ''EXCLUSION OF ELEMENTS FROM'' before ''BENEFIT-COST'';

(2) by redesignating subsections (b) through (e) as subsections (c) through (f), respectively;

(3) by inserting after subsection (a) the following:

''(b) FLOOD DAMAGE REDUCTION BENEFITS.—

''(1) IN GENERAL.—In calculating the benefits of a proposed project for nonstructural flood damage reduction, the Secretary shall calculate the benefits of the nonstructural project using methods similar to those used for calculating the benefits of structural projects, including similar treatment in calculating the benefits from losses avoided.

''(2) AVOIDANCE OF DOUBLE COUNTING.—In carrying out paragraph (1), the Secretary should avoid double counting of benefits.''; and

(4) in subsection (d), by striking ''subsection (b)'' and inserting ''subsection (c)''.

(b) REEVALUATION OF FLOOD CONTROL PROJECTS.—At the request of a non-Federal interest for a flood control project, the Secretary shall conduct a reevaluation of a project authorized before the date of enactment of this Act to consider nonstructural alternatives in light of the amendments made by subsection (a).

(c) COST SHARING.—Section 103(b) of the Water Resources Development Act of 1986 (33 U.S.C. 2213(b)) is amended—

(1) by striking ''The non-Federal'' and inserting the following:

''(1) IN GENERAL.—The non-Federal''; and

(2) by adding at the end the following:

''(2) NON-FEDERAL CONTRIBUTION IN EXCESS OF 35 PERCENT.—At any time during construction of a project, if the Secretary determines that the costs of land, easements, rights-of-way, dredged material disposal areas, and relocations for the project, in combination with other costs contributed by the non-Federal interests, will exceed 35 percent, any additional costs for the project (not to exceed 65 percent of the total costs of the project) shall be a Federal responsibility and shall be contributed during construction as part of the Federal share.''.

SEC. 220. LAKES PROGRAM.

Section 602(a) of the Water Resources Development Act of 1986 (100 Stat. 4148; 110 Stat. 3758) is amended—

(1) in paragraph (14), by inserting ''and nutrient monitoring'' after ''growth'';

(2) in paragraph (15), by striking ''and'' at the end;

(3) in paragraph (16), by striking the period at the end and inserting a semicolon; and

(4) by adding at the end the following:

''(17) Clear Lake, Lake County, California, removal of silt and aquatic growth and measures to address excessive sedimentation and high nutrient concentration;

''(18) Flints Pond, Hollis, Hillsborough County, New Hampshire, removal of silt and aquatic growth and measures to address excessive sedimentation; and

''(19) Osgood Pond, Milford, Hillsborough County, New Hampshire, removal of silt and aquatic growth and measures to address excessive sedimentation.''.

SEC. 221. ENHANCEMENT OF FISH AND WILDLIFE RESOURCES.

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 satisfied through in-kind contributions, including facilities, supplies, and services that are necessary to carry out the enhancement project.''.

SEC. 222. PURCHASE OF AMERICAN-MADE EQUIPMENT AND PRODUCTS.

(a) IN GENERAL.—It is the sense of Congress that, to the extent practicable, all equipment and products purchased with funds made available under this Act should be American made.

(b) NOTICE TO RECIPIENTS OF ASSISTANCE.—In providing financial assistance under this Act, the Secretary, to the greatest extent practicable, shall provide to each recipient of the assistance a notice describing the statement made in subsection (a).

SEC. 223. CONSTRUCTION OF FLOOD CONTROL PROJECTS BY NON-FEDERAL INTERESTS.

(a) IN GENERAL.—Section 211(d) of the Water Resources Development Act of 1996 (33 U.S.C. 701b–13(d)) is amended—

(1) in paragraph (1), by striking ''Any non-Federal interest that has received from the Secretary pursuant to subsection (b) or (c)'' and inserting the following:

''(A) STUDIES AND DESIGN ACTIVITIES UNDER SUBSECTION (b).—

''(i) IN GENERAL.—A non-Federal interest may carry out construction for which studies and design documents are prepared under subsection (b) only if the Secretary approves the project for construction.

''(ii) CRITERIA FOR APPROVAL.—The Secretary shall approve a project for construction if the Secretary determines that the project is technically sound, economically justified, and environmentally acceptable and meets the requirements for obtaining the appropriate permits required under the authority of the Secretary.

''(iii) NO UNREASONABLE WITHHOLDING OF APPROVAL.—The Secretary shall not unreasonably withhold approval of a project for construction.

''(iv) NO EFFECT ON REGULATORY AUTHORITY.—Nothing in this subparagraph affects any regulatory authority of the Secretary.

''(B) STUDIES AND DESIGN ACTIVITIES UNDER SUBSECTION (c).—Any non-Federal interest that has received from the Secretary under subsection (c)''; and

(2) in the first sentence of paragraph (2), by inserting ''(other than paragraph (1)(A))'' after ''this subsection''.

(b) REIMBURSEMENT.—

(1) IN GENERAL.—Section 211(e)(1) of the Water Resources Development Act of 1996 (33 U.S.C. 701b–13(e)(1)) is amended—

(A) in the matter preceding subparagraph (A), by inserting after ''constructed pursuant to this section'' the following: ''and provide credit for the non-Federal share of the project'';

(B) in subparagraph (A), by striking ''and'' at the end;

(C) in subparagraph (B), by striking the period at the end and inserting ''; and''; and

(D) by adding at the end the following:

''(C) if the construction work is substantially in accordance with plans prepared under subsection (b).''.

(2) SPECIAL RULES.—Section 211(e)(2)(A) of the Water Resources Development Act of 1996 (33 U.S.C. 701b–13(e)(2)(A)) is amended—

(A) in the subparagraph heading, by inserting ''OR CREDIT'' after ''REIMBURSEMENT'';

(B) by striking ''subject to amounts being made available in advance in appropriations Acts'' and inserting ''subject to the availability of appropriations''; and

(C) by inserting after ''the cost of such work'' the following: '', or provide credit (depending on the request of the non-Federal interest) for the non-Federal share of such work,''.

(3) SCHEDULE AND MANNER OF REIMBURSEMENTS.—Section 211(e) of the Water Resources Development Act of 1996 (33 U.S.C. 701b–13(e)) is amended by adding at the end the following:

''(6) SCHEDULE AND MANNER OF REIMBURSEMENT.—

''(A) BUDGETING.—The Secretary shall budget and request appropriations for reimbursements

under this section on a schedule that is consistent with a Federal construction schedule.

''(B) COMMENCEMENT OF REIMBURSEMENTS.—Reimbursements under this section may commence on approval of a project by the Secretary.

''(C) CREDIT.—At the request of a non-Federal interest, the Secretary may reimburse the non-Federal interest by providing credit toward future non-Federal costs of the project.

''(D) SCHEDULING.—Nothing in this paragraph affects the discretion of the President to schedule new construction starts.''.

SEC. 224. ENVIRONMENTAL DREDGING.

Section 312 of the Water Resources Development Act of 1990 (33 U.S.C. 1272) is amended—

(1) in subsection (b)—

(A) in paragraph (1), by striking ''50'' and inserting ''35''; and

(B) in paragraph (2), by striking ''$20,000,000'' and inserting ''$50,000,000'';

(2) in subsection (d), by striking ''non-Federal responsibility'' and inserting ''shared as a cost of construction''; and

(3) in subsection (f), by adding at the end the following:

''(6) Passaic River and Newark Bay, New Jersey.

''(7) Snake Creek, Bixby, Oklahoma.

''(8) Willamette River, Oregon.''.

SEC. 225. 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. 226. 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. 227. USE OF PRIVATE ENTERPRISES.

(a) IN GENERAL.—The Secretary shall comply with the requirements of the Federal Activities Inventory Reform Act of 1998 (31 U.S.C. 501 note; Public Law 105–270).

(b) COMPLIANCE WITH OTHER LAW.—

(1) INVENTORY AND REVIEW.—In carrying out this section, the Secretary shall inventory and review all activities that are not inherently governmental in nature in accordance with the Federal Activities Inventory Reform Act of 1998.

(2) ARCHITECTURAL AND ENGINEERING SERVICES.—Any review and conversion by the Secretary to performance by private enterprise of an architectural or engineering service (including a surveying or mapping service) shall be carried out in accordance with title IX of the Federal Property and Administrative Services Act of 1949 (40 U.S.C. 541 et seq.).

TITLE III—PROJECT-RELATED PROVISIONS

SEC. 301. TENNESSEE-TOMBIGBEE WATERWAY WILDLIFE MITIGATION, ALABAMA AND MISSISSIPPI.

The Tennessee-Tombigbee Waterway Wildlife Mitigation Project, Alabama and Mississippi, authorized by section 601(a) of the Water Resources Development Act of 1986 (100 Stat. 4138), is modified to authorize the Secretary to complete the project at a cost of $93,530,000, in accordance with the post authorization change report dated August 17, 1998.

SEC. 302. OUZINKIE HARBOR, ALASKA.

(a) MAXIMUM FEDERAL EXPENDITURE.—The maximum amount of Federal funds that may be expended for the project for navigation, Ouzinkie Harbor, Alaska, shall be $8,500,000.

(b) REVISION OF PROJECT COOPERATION AGREEMENT.—The Secretary shall revise the project cooperation agreement for the project referred to in subsection (a) to take into account the change in the Federal participation in the project under subsection (a).

SEC. 303. ST. PAUL HARBOR, ST. PAUL, ALASKA.

The project for navigation, St. Paul Harbor, St. Paul, Alaska, authorized by section 101(b)(3) of the Water Resources Development Act of 1996 (110 Stat. 3667), is modified to include the construction of additional features for a small boat harbor with an entrance channel and maneuvering area dredged to a 20-foot depth and appropriate wave protection features at an additional estimated total cost of $12,700,000, with an estimated Federal cost of $5,000,000 and an estimated non-Federal cost of $7,700,000.

SEC. 304. LOGGY BAYOU, RED RIVER BELOW DENISON DAM, ARKANSAS, LOUISIANA, OKLAHOMA, AND TEXAS.

The project for flood control on the Red River below Denison Dam, Arkansas, Louisiana, Oklahoma, and Texas, authorized by section 10 of the Flood Control Act of 1946 (60 Stat. 647), is modified to direct the Secretary to conduct a study to determine the feasibility of expanding the project to include mile 0.0 to mile 7.8 of Loggy Bayou between the Red River and Flat River.

SEC. 305. SACRAMENTO RIVER, GLENN-COLUSA, CALIFORNIA.

(a) IN GENERAL.—The project for flood control, Sacramento River, California, authorized by section 2 of the Act entitled ''An Act to provide for the control of the floods of the Mississippi River and of the Sacramento River, California, and for other purposes'', approved March 1, 1917 (39 Stat. 949), and modified by section 102 of the Energy and Water Development Appropriations Act, 1990 (103 Stat. 649), section 301(b)(3) of the Water Resources Development Act of 1996 (110 Stat. 3110), and title I of the Energy and Water Development Appropriations Act, 1999 (112 Stat. 1841), is further modified to authorize the Secretary—

(1) to carry out the portion of the project at Glenn-Colusa, California, at a total cost of $26,000,000, with an estimated Federal cost of $20,000,000 and an estimated non-Federal cost of $6,000,000; and

(2) to carry out bank stabilization work in the riverbed gradient facility, particularly in the vicinity of River Mile 208, if the Secretary determines that such work is necessary to protect the overall integrity of the project, on the condition that additional environmental review of the project is conducted.

SEC. 306. 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 $4,800,000, with an estimated Federal cost of $3,100,000 and an estimated non-Federal cost of $1,700,000.

SEC. 307. TERMINUS DAM, KAWEAH RIVER, CALIFORNIA.

(a) TRANSFER OF TITLE TO ADDITIONAL LAND.—If the non-Federal interests for the project for flood control and water supply, Terminus Dam, Kaweah River, California, authorized by section 101(b)(5) of the Water Resources Development Act of 1996 (110 Stat. 3667), transfer to the Secretary without consideration title to perimeter lands acquired for the project by the non-Federal interests, the Secretary may accept the transfer of that title.

(b) LAND, EASEMENTS, AND RIGHTS-OF-WAY.—Nothing in this section changes, modifies, or otherwise affects the responsibility of the non-Federal interests to provide land, easements, rights-of-way, relocations, and dredged material disposal areas necessary for the Terminus Dam project and to perform operation and maintenance for the project.

(c) OPERATION AND MAINTENANCE.—On request by the non-Federal interests, the Secretary shall carry out operation, maintenance, repair, replacement, and rehabilitation of the project if the non-Federal interests enter into a binding agreement with the Secretary to reimburse the Secretary for 100 percent of the costs of such operation, maintenance, repair, replacement, and rehabilitation, and any other expenses incurred by the Corps of Engineers under this section.

(d) HOLD HARMLESS.—The non-Federal interests shall hold the United States harmless for ownership, operation, and maintenance of lands and facilities of the Terminus Dam project title to which is transferred to the Secretary under this section.

SEC. 308. DELAWARE RIVER MAINSTEM AND CHANNEL DEEPENING, DELAWARE, NEW JERSEY, AND PENNSYLVANIA.

The project for navigation, Delaware River Mainstem and Channel Deepening, Delaware, New Jersey, and Pennsylvania, authorized by section 101(6) of the Water Resources Development Act of 1992 (106 Stat. 4802), is modified as follows:

(1) CREDIT FOR ENGINEERING AND DESIGN AND CONSTRUCTION MANAGEMENT WORK.—The Secretary may provide the non-Federal interests credit, toward cash contributions required for construction and subsequent to construction, for the costs of engineering and design and construction management work that is performed by the non-Federal interests and that the Secretary determines is necessary to implement the project. Any such credit shall reduce the Philadelphia District's private sector performance goals for engineering work by the amount of the credit.

(2) CREDIT FOR COSTS OF CONSTRUCTION.—The Secretary may provide the non-Federal interests credit, toward cash contributions required during construction and subsequent to construction, for the costs of construction performed by the non-Federal interests on behalf of the Secretary and that the Secretary determines is necessary to implement the project.

(3) PAYMENT OF DISPOSAL OR TIPPING FEES.—The Secretary may enter into an agreement with a non-Federal interest for the payment of disposal or tipping fees for dredged material from a Federal project, other than for the construction or operation and maintenance of the new deepening project as described in the Limited Reevaluation Report dated May 1997, if the non-Federal interest has supplied the corresponding disposal capacity.

(4) DISPOSAL AREA MANAGEMENT PLAN.—The Secretary may enter into an agreement with a non-Federal interest under which—

(A) the non-Federal interest may carry out or cause to have carried out on behalf of the Secretary a disposal area management program for dredged material disposal areas necessary to construct, operate, and maintain the project; and

(B) the Secretary shall reimburse the non-Federal interest for the costs of carrying out the program.

SEC. 309. POTOMAC RIVER, WASHINGTON, DISTRICT OF COLUMBIA.

The project for flood control, Potomac River, Washington, District of Columbia, authorized by section 5 of the Act of June 22, 1936 (49 Stat. 1574, chapter 688), and modified by section 301(a)(4) of the Water Resources Development Act of 1996 (110 Stat. 3707), is modified to authorize the Secretary to construct the project at a Federal cost of $5,965,000, in accordance with the post authorization change report dated June 29, 1998.

SEC. 310. BREVARD COUNTY, FLORIDA.

(a) STUDY.—Not later than 120 days after the date of enactment of this Act, the Secretary, in cooperation with the non-Federal interest, shall complete a study of any damage to the project for shore protection, Brevard County, Florida, authorized by section 101(b)(7) of the Water Resources Development Act of 1996 (110 Stat. 3667), to determine whether the damage is the result of a Federal navigation project.

(b) CONDITIONS.—In conducting the study, the Secretary shall use the services of an independent coastal expert, who shall consider all relevant studies completed by the Corps of Engineers and the local sponsor of the project.

(c) MITIGATION OF DAMAGE.—After completion of the study, the Secretary shall mitigate any damage to the shore protection project that is the result of a Federal navigation project. The costs of the mitigation shall be allocated to the Federal navigation project as operation and maintenance costs.

SEC. 311. BROWARD COUNTY AND HILLSBORO INLET, FLORIDA.

The project for shore protection, Broward County and Hillsboro Inlet, Florida, authorized by section 301 of the River and Harbor Act of 1965 (79 Stat. 1090), is modified to authorize the Secretary, on execution of a contract to construct the project, to reimburse the non-Federal interest for the Federal share of the cost of preconstruction planning and design for the project, if the Secretary determines that the work is compatible with and integral to the project.

SEC. 312. LEE COUNTY, CAPTIVA ISLAND SEGMENT, FLORIDA, PERIODIC BEACH NOURISHMENT.

(a) IN GENERAL.—The project for shore 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. 426i–1).

(b) DECISION DOCUMENT.—The design memorandum approved in 1996 shall be the decision document supporting continued Federal participation in cost sharing of the project.

SEC. 313. FORT PIERCE, FLORIDA.

(a) IN GENERAL.—The project for shore protection and harbor mitigation, Fort Pierce, Florida, 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 incorporate 1 additional mile into the project in accordance with a final approved general reevaluation report, at a total cost for initial nourishment for the entire project of $9,128,000, with an estimated Federal cost of $7,073,500 and an estimated non-Federal cost of $2,054,500, at an average annual cost of $556,000 for periodic nourishment over the 50-year life of the project, with an estimated annual Federal cost of $431,000 and an estimated annual non-Federal cost of $125,000.

(b) PERIODIC BEACH NOURISHMENT.—Periodic beach nourishment is authorized for the project in accordance with section 506(a)(2) of Water Resources Development Act of 1996 (110 Stat. 3757).

SEC. 314. NASSAU COUNTY, FLORIDA.

The project for beach erosion control, Nassau County (Amelia Island), Florida, authorized by section 3(a)(3) of the Water Resources Development Act of 1988 (102 Stat. 4013), is modified to authorize the Secretary to construct the project at a total cost of $17,000,000, with an estimated Federal cost of $13,300,000 and an estimated non-Federal cost of $3,700,000, at an average annual cost of $1,177,000 for periodic nourishment over the 50-year life of the project, with an estimated annual Federal cost of $807,000 and an estimated annual non-Federal cost of $370,000.

SEC. 315. MIAMI HARBOR CHANNEL, FLORIDA.

The project for navigation, Miami Harbor Channel, Florida, authorized by section 101(a)(9) of the Water Resources Development Act of 1990 (104 Stat. 4606), is modified to include construction of artificial reefs and related environmental mitigation required by Federal, State, and local environmental permitting agencies for the project, if the Secretary determines that the project as modified is technically sound, environmentally acceptable, and economically justified.

SEC. 316. ST. AUGUSTINE, ST. JOHNS COUNTY, FLORIDA.

The project for shore protection and storm damage reduction, St. Augustine, St. Johns County, Florida, authorized by section 501(a) of the Water Resources Development Act of 1986 (100 Stat. 4133) is modified to include navigation mitigation as a project purpose and to be carried by the Secretary substantially in accordance with the general reevaluation report dated November 18, 1998, at a total cost of $17,208,000, with an estimated Federal cost of $13,852,000 and an estimated non-Federal cost of $3,356,000, and at an estimated average annual cost of $1,360,000 for periodic nourishment over the 50-year life of the project, with an estimated annual Federal cost of $1,095,000 and an estimated annual non-Federal cost of $265,000.

SEC. 317. MILO CREEK, IDAHO.

The Secretary shall reimburse the non-Federal interests for 65 percent of the reasonable costs of flood control for the South Division Street Segment, Milo Creek Flood Control Project, Idaho, to be constructed by the State of Idaho as described in the provision entitled ''Add Alternative I'' in the Milo Creek Phase II plans and specifications dated April 1999.

SEC. 318. LAKE MICHIGAN, ILLINOIS.

(a) IN GENERAL.—The project for storm damage reduction and shore 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.

(b) 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.

(c) 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.

SEC. 319. SPRINGFIELD, ILLINOIS.

Section 417 of the Water Resources Development Act of 1996 (110 Stat. 3743) is amended—

(1) by inserting ''(a) IN GENERAL.—'' before ''The Secretary''; and

(2) by adding at the end the following:

''(b) COST SHARING.—The non-Federal share of assistance provided under this section before, on, or after the date of enactment of this subsection shall be 50 percent.''.

SEC. 320. OGDEN DUNES, INDIANA.

(a) STUDY.—The Secretary shall conduct a study of beach erosion in and around the town of Ogden Dunes, Indiana, to determine whether the damage is the result of a Federal navigation project.

(b) MITIGATION OF DAMAGE.—If the Secretary determines that the damage described in subsection (a) is the result of a Federal navigation project, the Secretary shall take appropriate measures to mitigate the damage.

(c) COST.—The cost of the mitigation shall be allocated to the Federal navigation project as an operation and maintenance cost.

SEC. 321. SAINT JOSEPH RIVER, SOUTH BEND, INDIANA.

(a) MAXIMUM TOTAL EXPENDITURE.—The maximum total expenditure for the project for streambank erosion, recreation, and pedestrian access features, Saint Joseph River, South Bend, Indiana, shall be $7,800,000.

(b) REVISION OF PROJECT COOPERATION AGREEMENT.—The Secretary shall revise the project cooperation agreement for the project referred to in subsection (a) to take into account the change in the Federal participation in the project under subsection (a).

SEC. 322. 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 section, in combination with the alterations undertaken under section 323 of the Water Resources Development Act of 1996 (110 Stat. 3716), are economically justified.

SEC. 323. DUBUQUE, IOWA.

The project for navigation, 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.

SEC. 324. LAKE PONTCHARTRAIN, LOUISIANA.

The project for hurricane-flood protection, Lake Pontchartrain, Louisiana, authorized by section 204 of the Flood Control Act of 1965 (79 Stat. 1077), is modified—

(1) to direct the Secretary to conduct a study to determine the feasibility of constructing a pump adjacent to each of the 4 proposed drainage structures for the Saint Charles Parish feature of the project; and

(2) to authorize the Secretary to construct the pumps, with a Federal cost of 65 percent, if the Secretary determines that the project as modified is technically sound, environmentally acceptable, and economically justified.

SEC. 325. LAROSE TO GOLDEN MEADOW, LOUISIANA.

The project for hurricane protection Larose to Golden Meadow, Louisiana, authorized by section 204 of the Flood Control Act of 1965 (79 Stat. 1077), is modified to authorize the Secretary to convert the Golden Meadow floodgate into a navigation lock if the Secretary determines that the conversion is technically feasible, environmentally acceptable, and economically justified.

SEC. 326. LOUISIANA STATE PENITENTIARY LEVEE, LOUISIANA.

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).

SEC. 327. TWELVE-MILE BAYOU, CADDO PARISH, LOUISIANA.

The Red River Below Denison Dam project, authorized by section 10 of the Flood Control Act of 1946 (60 Stat. 647), is modified to incorporate the Twelve-Mile Bayou and levee from its confluence with the Red River and levee approximately 26 miles upstream to the vicinity of Black Bayou, Caddo Parish, Louisiana.

SEC. 328. WEST BANK OF THE MISSISSIPPI RIVER (EAST OF HARVEY CANAL), LOUISIANA.

(a) IN GENERAL.—The project to prevent flood damage and for hurricane damage reduction, west bank of the Mississippi River (east of Harvey Canal), Louisiana, authorized by section 401(b) of the Water Resources Development Act of 1986 (100 Stat. 4128) and section 101(a)(17) of the Water Resources Development Act of 1996 (110 Stat. 3665), is modified to direct the Secretary to continue Federal operation and maintenance of the portion of the project included in the report of the Chief of Engineers dated May 1, 1995, referred to as ''Algiers Channel''.

(b) COMBINATION OF PROJECTS.—The Secretary shall carry out work authorized as part of the Westwego to Harvey Canal project, the East of Harvey Canal project, and the Lake Cataouatche modifications as a single project, to be known as the ''West Bank and Vicinity, New Orleans, Louisiana, Hurricane Protection Project'', with a combined total cost of $280,300,000.

SEC. 329. 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.

SEC. 330. SAULT SAINTE MARIE, CHIPPEWA COUNTY, MICHIGAN.

The project for navigation Sault Sainte Marie, Chippewa County, Michigan, authorized by section 1149 of the Water Resources Development Act of 1986 (100 Stat. 4254) and modified by section 330 of the Water Resources Development Act of 1996 (110 Stat. 3717), is further modified to provide that the amount to be paid by non-Federal interests under section 101(a) of the Water Resources Development Act of 1986 (33 U.S.C. 2211(a)) and section 330(a) of the Water Resources Development Act of 1996 shall not include any interest payments.

SEC. 331. 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 further modified to direct the Secretary to provide a credit, not to exceed $5,000,000, toward 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 the work is compatible with and integral to the project.

SEC. 332. BOIS BRULE DRAINAGE AND LEVEE DISTRICT, MISSOURI.

(a) MAXIMUM FEDERAL EXPENDITURE.—The maximum amount of Federal funds that may be allocated for the project for flood control, Bois Brule Drainage and Levee District, Missouri, authorized under section 205 of the Flood Control Act of 1948 (33 U.S.C. 701s), is $15,000,000.

(b) REVISION OF PROJECT COOPERATION AGREEMENT.—The Secretary shall revise the project cooperation agreement for the project referred to in subsection (a) to take into account the change in Federal participation in the project under subsection (a).

(c) COST SHARING.—Nothing in this section affects any cost-sharing requirement applicable to the project referred to in subsection (a) under title I of the Water Resources Development Act of 1986 (33 U.S.C. 2211 et seq.).

SEC. 333. MERAMEC RIVER BASIN, VALLEY PARK LEVEE, MISSOURI.

The project for flood control, Meramec River Basin, Valley Park Levee, Missouri, authorized by section 2(h) of the Act entitled ''An Act to deauthorize several projects within the jurisdiction of the Army Corps of Engineers'' (Public Law 97–128; 95 Stat. 1682) and modified by section 1128 of the Water Resources Developoment Act of 1986 (100 Stat. 4246), is further modified to authorize the Secretary to construct the project at a maximum Federal expenditure of $35,000,000, if the Secretary determines that the project as modified is technically sound, environmentally acceptable, and economically justified.

SEC. 334. MISSOURI RIVER MITIGATION PROJECT, MISSOURI, KANSAS, IOWA, AND NEBRASKA.

(a) IN GENERAL.—The project for mitigation of fish and wildlife losses, Missouri River Bank Stabilization and Navigation Project, Missouri, Kansas, Iowa, and Nebraska, authorized by section 601(a) of the Water Resources Development Act of 1986 (100 Stat. 4143) is modified to increase by 118,650 acres the amount of land and interests in land to be acquired for the project.

(b) STUDY.—

(1) IN GENERAL.—The Secretary, in conjunction with the States of Missouri, Kansas, Iowa, and Nebraska, shall conduct a study to determine the cost of restoring, under the authority of the Missouri River fish and wildlife mitigation project, a total of 118,650 acres of lost Missouri River fish and wildlife habitat.

(2) REPORT.—Not later than 180 days after the date of enactment of this Act, the Secretary shall report to Congress on the results of the study.

SEC. 335. 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 substantially in accordance with the report of the Corps of Engineers 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.

SEC. 336. ABSECON ISLAND, NEW JERSEY.

The project for storm damage reduction and shore protection, Brigantine Inlet to Great Egg Harbor Inlet, Absecon Island, New Jersey, authorized by section 101(b)(13) of the Water Resources Development Act of 1996 (110 Stat. 3668), is modified to provide that if, after October 12, 1996, the non-Federal interests carry out any work associated with the project that is later recommended by the Chief of Engineers and approved by the Secretary, the Secretary may provide the non-Federal interests credit toward the non-Federal share of the cost of the project in an amount equal to the Federal share of the cost of the work, without interest.

SEC. 337. NEW YORK HARBOR AND ADJACENT CHANNELS, PORT JERSEY, NEW JERSEY.

(a) IN GENERAL.—The project for navigation, New York Harbor and Adjacent Channels, New York and New Jersey, authorized by section 202(b) of the Water Resources Development Act of 1986 (100 Stat. 4098), is further modified to authorize the Secretary to construct the portion of the project that is located between Military Ocean Terminal Bayonne and Global Terminal in Bayonne, New Jersey, at a total cost of $103,267,000, with an estimated Federal cost of $76,909,000 and an estimated non-Federal cost of $26,358,000.

(b) LIMITATION.—No funds may be obligated to carry out work under the modification under subsection (a) until completion of a final report by the Chief of Engineers finding that the work is technically sound, environmentally acceptable, and economically justified.

SEC. 338. 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 substantially in accordance with the report of the Corps of Engineers dated July 23, 1999, at a total cost of $315,700,000, with an estimated Federal cost of $183,200,000 and an estimated non-Federal cost of $132,500,000.

(b) CREDIT.—The Secretary may provide non-Federal interests—

(1) credit toward cash contributions required prior to and during construction and subsequent to construction for planning, engineering, and design and construction management work that is performed by non-Federal interests and that the Secretary determines is necessary to implement the project; and

(2) credit toward cash contributions required during construction and subsequent to construction for the costs of construction carried out by the non-Federal interest on behalf of the Secretary and that the Secretary determines is necessary to implement the project.

SEC. 339. KILL VAN KULL AND NEWARK BAY CHANNELS, NEW YORK AND NEW JERSEY.

The project for navigation, Kill Van Kull and Newark Bay Channels, New York and New Jersey, authorized by chapter IV of title I of the Supplemental Appropriations Act, 1985 (99 Stat. 313), section 202(a) of the Water Resources Development Act of 1986 (100 Stat. 4095), and section 301(b)(12) of the Water Resources Development Act of 1996 (110 Stat. 3711), is further modified to authorize the Secretary to provide the non-Federal interests credit toward cash contributions required—

(1) before, during, and after construction for planning, engineering and design, and construction management work that is performed by the non-Federal interests and that the Secretary determines is necessary to implement the project; and

(2) during and after construction for the costs of the construction that the non-Federal interests carry out on behalf of the Secretary and that the Secretary determines is necessary to implement the project.

SEC. 340. NEW YORK CITY WATERSHED.

Section 552 of the Water Resources Development Act of 1996 (110 Stat. 3779) is amended—

(1) in subsection (d), 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 the assistance, subject to the project's meeting the certification requirement of subsection (c)(1)''; and

(2) in subsection (i), by striking ''$22,500,000'' and inserting ''$42,500,000''.

SEC. 341. NEW YORK STATE CANAL SYSTEM.

Section 553(e) of the Water Resources Development Act of 1996 (110 Stat. 3781) is amended by striking ''$8,000,000'' and inserting ''$18,000,000''.

SEC. 342. FIRE ISLAND INLET TO MONTAUK POINT, NEW YORK.

The project for combined beach erosion control and hurricane protection, Fire Island Inlet to Montauk Point, Long Island, New York, authorized by section 101(a) of the River and Harbor Act of 1960 (74 Stat. 483) and modified by the River and Harbor Act of 1962, the Water Resources Development Act of 1974, and the Water Resources Development Act of 1986, is further modified to direct the Secretary, in coordination with the heads of other Federal departments and agencies, to complete all procedures and reviews expeditiously and to adopt and submit to Congress, not later than 120 days after the date of enactment of this Act, a mutually acceptable shore erosion plan for the Fire Island Inlet to Moriches Inlet reach of the project.

SEC. 343. BROKEN BOW LAKE, RED RIVER BASIN, OKLAHOMA.

The project for flood control and water supply, Broken Bow Lake, Red River Basin, Oklahoma, authorized by section 203 of the Flood Control Act of 1958 (72 Stat. 309) and modified by section 203 of the Flood Control Act of 1962 (76 Stat. 1187), section 102(v) of the Water Resources Development Act of 1992 (106 Stat. 4808), and section 338 of the Water Resources Development Act of 1996 (110 Stat. 3720), is further modified to require the Secretary to make seasonal adjustments to the top of the conservation pool at the project, if the Secretary determines that the adjustments will be undertaken at no cost to the United States and will adequately protect affected water and related resources, as follows:

(1) Maintain an elevation of 599.5 from November 1 through March 31.

(2) Increase elevation gradually from 599.5 to 602.5 during April and May.

(3) Maintain an elevation of 602.5 from June 1 to September 30.

(4) Decrease elevation gradually from 602.5 to 599.5 during October.

SEC. 344. WILLAMETTE RIVER TEMPERATURE CONTROL, MCKENZIE SUBBASIN, OREGON.

(a) IN GENERAL.—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 substantially in accordance with the Feature Memorandum dated July 31, 1998, at a total cost of $64,741,000, if the Secretary determines that the project as modified is technically sound and environmentally acceptable.

(b) REPORT.—Not later than 90 days after the date of enactment of this Act, the Secretary shall submit to Congress a report that—

(1) states the reasons for the increase in the cost of the project;

(2) outlines the steps that the Corps of Engineers is taking to control project costs, including the application of value engineering and other appropriate measures; and

(3) includes a cost estimate for, and recommendations on the advisability of, adding fish screens to the project.

SEC. 345. CURWENSVILLE LAKE, PENNSYLVANIA.

Section 562 of the Water Resources Development Act of 1996 (110 Stat. 3784) is amended—

(1) by striking ''The Secretary'' and inserting the following:

''(a) IN GENERAL.—The Secretary''; and

(2) by adding at the end the following:

''(b) RECREATION FACILITIES.—The Secretary—

''(1) may provide design and construction assistance for recreational facilities at Curwensville Lake; and

''(2) may require the non-Federal interest to provide not more than 25 percent of the cost of designing and constructing the recreational facilities.''.

SEC. 346. DELAWARE RIVER, PENNSYLVANIA AND DELAWARE.

The project for navigation, Delaware River, Philadelphia to Wilmington, Pennsylvania and Delaware, authorized by section 3(a)(12) of the Water Resources Development Act of 1988 (102 Stat. 4014), is modified to authorize the Secretary to extend the channel of the Delaware River at Camden, New Jersey, to within 150 feet of the existing bulkhead and to relocate the 40-foot deep Federal navigation channel, eastward within Philadelphia Harbor, from the Ben Franklin Bridge to the Walt Whitman Bridge, into deep water, if the Secretary determines that the project as modified is technically sound, economically acceptable, and economically justified.

SEC. 347. MUSSERS DAM, PENNSYLVANIA.

Section 209 of the Water Resources Development Act of 1992 (106 Stat. 4830) is amended—

(1) by striking subsection (e); and

(2) by redesignating subsection (f) as subsection (e).

SEC. 348. PHILADELPHIA, PENNSYLVANIA.

Section 564(c)(2) of the Water Resources Development Act of 1996 (110 Stat. 3785) is amended by striking ''$2,700,000'' and inserting ''$4,000,000''.

SEC. 349. NINE MILE RUN, ALLEGHENY COUNTY, 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.

SEC. 350. RAYSTOWN LAKE, PENNSYLVANIA.

(a) RECREATION PARTNERSHIP INITIATIVE.—Section 519(b) of the Water Resources Development Act of 1996 (33 U.S.C. 2328 note; 110 Stat. 3765) is amended—

(1) by redesignating paragraph (3) as paragraph (4); and

(2) by inserting after paragraph (2) the following:

''(3) ENGINEERING AND DESIGN SERVICES.—The Secretary may perform engineering and design services for project infrastructure expected to be associated with the development of the site at Raystown Lake, Hesston, Pennsylvania.''.

(b) CONSTRUCTION ASSISTANCE.—

(1) IN GENERAL.—Consistent with the master plan described in section 318 of the Water Resources Development Act of 1992 (106 Stat. 4848), the Secretary may provide a grant to Juniata College for the construction of facilities and structures at Raystown Lake, Pennsylvania, to interpret and understand environmental conditions and trends. As a condition of the receipt of financial assistance, officials at Juniata College shall coordinate the construction with the Baltimore District of the Army Corps of Engineers.

(2) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this subsection $5,000,000.

SEC. 351. SOUTH CENTRAL PENNSYLVANIA.

(a) AUTHORIZATION OF APPROPRIATIONS.—Section 313(g)(1) of the Water Resources Development Act of 1992 (106 Stat. 4846; 110 Stat. 3723) is amended by striking ''$80,000,000'' and inserting ''$180,000,000''.

(b) CORPS OF ENGINEERS EXPENSES.—Section 313(g) of the Water Resources Development Act of 1992 (106 Stat. 4846) is amended by adding at the end the following:

''(4) CORPS OF ENGINEERS EXPENSES.—10 percent of the amounts appropriated to carry out this section for each of fiscal years 2000 through 2002 may be used by the Corps of Engineers district offices to administer and implement projects under this section at 100 percent Federal expense.''.

SEC. 352. 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. 353. COOPER RIVER, CHARLESTON HARBOR, SOUTH CAROLINA.

(a) IN GENERAL.—The project for rediversion, 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 further modified to authorize the Secretary to pay to the State of South Carolina not more than $3,750,000 if the Secretary and the State enter into a binding agreement for the State to perform all future operation of the fish lift at St. Stephen, South Carolina, including performance of studies to assess the efficacy of the fish lift.

(b) CONTENTS OF AGREEMENT.—The agreement under subsection (a) shall specify—

(1) the terms and conditions under which payment will be made; and

(2) the rights of, and remedies available to, the Federal Government to recover all or a portion of the payment if the State suspends or terminates operation of the fish lift or fails to operate the fish lift in a manner satisfactory to the Secretary.

(c) MAINTENANCE.—Maintenance of the fish lift shall remain a Federal responsibility.

SEC. 354. CLEAR CREEK, TEXAS.

Section 575 of the Water Resources Development Act of 1996 (110 Stat. 3789) is amended—

(1) in subsection (a)—

(A) by inserting ''or nonstructural actions'' after ''flood control works constructed''; and

(B) by inserting ''or nonstructural actions'' after ''construction of the project''; and

(2) in subsection (b)—

(A) in paragraph (2), by striking ''and'' at the end;

(B) in paragraph (3), by striking the period at the end and inserting ''; and''; and

(C) by adding at the end the following:

''(4) the project for flood control, Clear Creek, Texas, authorized by section 203 of the Flood Control Act of 1968 (82 Stat. 742).''.

SEC. 355. CYPRESS CREEK, TEXAS.

(a) IN GENERAL.—The project for flood control, Cypress Creek, Texas, authorized by section 3(a)(13) of the Water Resources Development Act of 1988 (102 Stat. 4014), is modified to authorize the Secretary to carry out a nonstructural flood control project at a total cost of $5,000,000.

(b) REIMBURSEMENT FOR WORK.—The Secretary may reimburse the non-Federal interest for the Cypress Creek project for work done by the non-Federal interest on the nonstructural flood control project in an amount equal to the estimate of the Federal share, without interest, of the cost of the work—

(1) if, after authorization and before initiation of construction of the nonstructural project, the Secretary approves the plans for construction of the nonstructural project by the non-Federal interest; and

(2) if the Secretary finds, after a review of studies and design documents prepared to carry out the nonstructural project, that construction of the nonstructural project is economically justified and environmentally acceptable.

SEC. 356. DALLAS FLOODWAY EXTENSION, DALLAS, TEXAS.

The project for flood control, Dallas Floodway Extension, Dallas, Texas, authorized by section 301 of the River and Harbor Act of 1965 (79 Stat. 1091) and modified by section 351 of the Water Resources Development Act of 1996 (110 Stat. 3724), is further modified to add environmental restoration and recreation as project purposes.

SEC. 357. UPPER JORDAN RIVER, UTAH.

The project for flood control, Upper Jordan River, Utah, authorized by section 101(a)(23) of the Water Resources Development Act of 1990 (104 Stat. 4610) and modified by section 301(a)(14) of the Water Resources Development Act of 1996 (110 Stat. 3709), is further modified to direct the Secretary to carry out the locally preferred project, entitled ''Upper Jordan River Flood Control Project, Salt Lake County, Utah—Supplemental Information'' and identified in the document of Salt Lake County, Utah, dated July 30, 1998, at a total cost of $12,870,000, with an estimated Federal cost of $8,580,000 and an estimated non-Federal cost of $4,290,000, if the Secretary determines that the project as modified is technically sound, environmentally acceptable, and economically justified.

SEC. 358. ELIZABETH RIVER, CHESAPEAKE, VIRGINIA.

Notwithstanding any other provision of law, after September 30, 1999, 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 the Elizabeth River, Chesapeake, Virginia.

SEC. 359. COLUMBIA RIVER CHANNEL, WASHINGTON AND OREGON.

(a) 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.

(b) 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.

(c) DISTANCE DOWNSTREAM.—

(1) 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.

(2) NORTHERN EDGE.—The northern edge of the channel shall continue downstream of the bridge to the Upper Vancouver Turning Basin.

SEC. 360. GREENBRIER RIVER BASIN, WEST VIRGINIA.

Section 579(c) of the Water Resources Development Act of 1996 (110 Stat. 3790) is amended by striking ''$12,000,000'' and inserting ''$47,000,000''.

SEC. 361. BLUESTONE LAKE, OHIO RIVER BASIN, WEST VIRGINIA.

Section 102(ff) of the Water Resources Development Act of 1992 (106 Stat. 4810) is amended by striking ''take such measures as are technologically feasible'' and inserting ''implement Plan C/G, as defined in the Evaluation Report of the District Engineer dated December 1996,''.

SEC. 362. MOOREFIELD, WEST VIRGINIA.

Effective October 1, 1999, the project for flood control, Moorefield, West Virginia, authorized by section 101(a)(25) of the Water Resources Development Act of 1990 (104 Stat. 4610), is modified to provide that the non-Federal interest shall not be required to pay the unpaid balance, including interest, of the non-Federal share of the cost of the project.

SEC. 363. WEST VIRGINIA AND PENNSYLVANIA FLOOD CONTROL.

Section 581 of the Water Resources Development Act of 1996 (110 Stat. 3790) is amended by striking subsection (a) and inserting the following:

''(a) IN GENERAL.—The Secretary may design and construct—

''(1) flood control measures in the Cheat and Tygart River basins, West Virginia, at a level of protection that is sufficient to prevent any future losses to communities in the basins from flooding such as occurred in January 1996, but not less than a 100-year level of protection; and

''(2) structural and nonstructural flood control, streambank protection, stormwater management, and channel clearing and modification measures in the lower Allegheny, lower Monongahela, West Branch Susquehanna, and Juniata River basins, Pennsylvania, at a level of protection that is sufficient to prevent any future losses to communities in the basins from flooding such as occurred in January 1996, but not less than a 100-year level of flood protection with respect to measures that incorporate levees or floodwalls.''.

SEC. 364. PROJECT REAUTHORIZATIONS.

Each of the following projects is authorized to be carried out by the Secretary, if the Secretary determines that the project is technically sound, environmentally acceptable, and economically justified, as appropriate:

(1) INDIAN RIVER COUNTY, FLORIDA.—The project for shore protection, Indian River County, Florida, authorized by section 501(a) of the Water Resources Development Act of 1986 (100 Stat. 4134) and deauthorized under section 1001(b)(1) of the Water Resources Development Act of 1986 (33 U.S.C. 579a(b)(1)).

(2) LIDO KEY BEACH, SARASOTA, FLORIDA.—

(A) IN GENERAL.—The project for shore protection, Lido Key Beach, Sarasota, Florida, authorized by section 101 of the River and Harbor Act of 1970 (84 Stat. 1819) and deauthorized under section 1001(b) of the Water Resources Development Act of 1986 (33 U.S.C. 579a(b)), 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.—The Secretary may carry out periodic nourishment for the project 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.

(3) CASS RIVER, MICHIGAN (VASSAR).—The project for flood protection, Cass River, Michigan (Vassar), authorized by section 203 of the Flood Control Act of 1958 (72 Stat. 311) and deauthorized under section 1001(b)(2) of the Water Resources Development Act of 1986 (33 U.S.C. 579a(b)(2)).

(4) SAGINAW RIVER, MICHIGAN (SHIAWASSEE FLATS).—The project for flood control, Saginaw River, Michigan (Shiawassee Flats), authorized by section 203 of the Flood Control Act of 1958 (72 Stat. 311) and deauthorized under section 1001(b)(2) of the Water Resources Development Act of 1986 (33 U.S.C. 579a(b)(2)).

(5) PARK RIVER, GRAFTON, NORTH DAKOTA.—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 that Act (33 U.S.C. 579a(a)), 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.

(6) MEMPHIS HARBOR, MEMPHIS, TENNESSEE.—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 pursuant to section 1001(a) of that Act (33 U.S.C 579a(a)), is authorized to be carried out by the Secretary.

SEC. 365. PROJECT DEAUTHORIZATIONS.

(a) IN GENERAL.—The following projects or portions of projects are not authorized after the date of enactment of this Act:

(1) 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 0.6-acre anchorage, 6 feet deep, located on the west side of Johnsons River.

(2) CLINTON HARBOR, CONNECTICUT.—The portion of the project for navigation, Clinton Harbor, Connecticut, authorized by section 2 of the Act of March 2, 1945 (59 Stat. 13, chapter 19), and House Document 240, 76th Congress, 1st Session, lying upstream of a line designated by the points N158,592.12, E660,193.92 and N158,444.58, E660,220.95.

(3) BASS HARBOR, MAINE.—The following 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):

(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, N14877.64, 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.

(4) BOOTHBAY HARBOR, MAINE.—The project for navigation, Boothbay Harbor, Maine, authorized by the Act of July 25, 1912 (37 Stat. 201, chapter 253).

(5) BUCKSPORT HARBOR, MAINE.—The portion of the project for navigation, Bucksport Harbor, Maine, authorized by the first section of the Act of June 13, 1902 (32 Stat. 331, chapter 1079), consisting of a 16-foot deep channel beginning at a point N268.748.16, E423.390.76, thence running north 47 degrees 02 minutes 23 seconds east 51.76 feet to a point N268.783.44, E423.428.64, thence running north 67 degrees 54 minutes 32 seconds west 1513.94 feet to a point N269.352.81, E422.025.84, thence running south 47 degrees 02 minutes 23 seconds west 126.15 feet to a point N269.266.84, E421.933.52, thence running south 70 degrees 24 minutes 28 seconds east 1546.79 feet to the point of origin.

(6) CARVERS HARBOR, VINALHAVEN, MAINE.—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), consisting 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.

(7) EAST BOOTHBAY HARBOR, MAINE.—Section 364 of the Water Resources Development Act of 1996 is amended by striking paragraph (9) (110 Stat. 3734) 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. 631, chapter 382).''.

(8) SEARSPORT HARBOR, SEARSPORT, MAINE.—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), consisting 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.

(9) WELLS HARBOR, MAINE.—The following portions of the project for navigation, Wells Harbor, Maine, authorized by section 101 of the River and Harbor Act of 1960 (74 Stat. 480):

(A) 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.

(B) 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.

(C) 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.

(D) 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.

(10) FALMOUTH HARBOR, MASSACHUSETTS.—The portion of the project for navigation, Falmouth Harbor, Massachusetts, authorized by section 101 of the River and Harbor Act of 1948 (62 Stat. 1172) lying southeasterly of a line commencing at a point N199,286.41, E844,394.91, thence running north 66 degrees 52 minutes 3.31 seconds east 472.95 feet to a point N199,472.21, E844,829.83, thence running north 43 degrees 9 minutes 28.3 seconds east 262.64 feet to a point N199,633.80, E845,009.48, thence running north 21 degrees 40 minutes 11.26 seconds east 808.38 feet to a point N200,415.05, E845,307.98, thence running north 32 degrees 25 minutes 29.01 seconds east 160.76 feet to a point N200,550.75, E845,394.18, thence running north 24 degrees 56 minutes 42.29 seconds east 1,410.29 feet to a point N201,829.48, E845,988.97.

(11) GREEN HARBOR, MASSACHUSETTS.—The portion of the project for navigation, Green Harbor, Massachusetts, undertaken pursuant to section 107 of the River and Harbor Act of 1960 (33 U.S.C. 577), consisting of the 6-foot deep channel beginning at a point along the west limit of the existing project, north 395990.43, east 831079.16, thence running northwesterly about 752.85 feet to a point, north 396722.80, east 830904.76, thence running northwesterly about 222.79 feet to a point along the west limit of the existing project, north 396844.34, east 830718.04, thence running southwesterly about 33.72 feet along the west limit of the existing project to a point, north 396810.80, east 830714.57, thence running southeasterly about 195.42 feet along the west limit of the existing project to a point, north 396704.19, east 830878.35, thence running about 544.66 feet along the west limit of the existing project to a point, north 396174.35, east 831004.52, thence running southeasterly about 198.49 feet along the west limit of the existing project to the point of beginning.

(12) NEW BEDFORD AND FAIRHAVEN HARBOR, MASSACHUSETTS.—The following portions of the project for navigation, New Bedford and Fairhaven Harbor, Massachusetts:

(A) A portion of the 25-foot spur channel leading to the west of Fish Island, authorized by section 3 of the Act of March 3, 1909 (35 Stat. 816, chapter 264), beginning at a point with coordinates N232,173.77, E758,791.32, thence running south 27 degrees 36 minutes 52.8 seconds west 38.2 feet to a point N232,139.91, E758,773.61, thence running south 87 degrees 35 minutes 31.6 seconds west 196.84 feet to a point N232,131.64, E758,576.94, thence running north 47 degrees 47 minutes 48.4 seconds west 502.72 feet to a point N232,469.35, E758,204.54, thence running north 10 degrees 10 minutes 20.3 seconds west 438.88 feet to a point N232,901.33, E758,127.03, thence running north 79 degrees 49 minutes 43.1 seconds east 121.69 feet to a point N232,922.82, E758,246.81, thence running south 04 degrees 29 minutes 17.6 seconds east 52.52 feet to a point N232,870.46, E758,250.92, thence running south 23 degrees 56 minutes 11.2 seconds east 49.15 feet to a point N323,825.54, E758,270.86, thence running south 79 degrees 49 minutes 27.0 seconds west 88.19 feet to a point N232,809.96, E758,184.06, thence running south 10 degrees 10 minutes 25.7 seconds east 314.83 feet to a point N232,500.08, E758,239.67, thence running south 56 degrees 33 minutes 56.1 seconds east 583.07 feet to a point N232,178.82, E758,726.25, thence running south 85 degrees 33 minutes 16.0 seconds east to the point of origin.

(B) A portion of the 30-foot west maneuvering basin, authorized by the first section of the Act of July 3, 1930 (46 Stat. 918, chapter 847), beginning at a point with coordinates N232,139.91, E758,773.61, thence running north 81 degrees 49 minutes 30.1 seconds east 160.76 feet to a point N232,162.77, E758.932.74, thence running north 85 degrees 33 minutes 16.0 seconds west 141.85 feet to a point N232,173.77, E758,791.32, thence running south 27 degrees 36 minutes 52.8 seconds west to the point of origin.

(b) ANCHORAGE AREA, CLINTON HARBOR, CONNECTICUT.—The portion of the Clinton Harbor, Connecticut, navigation project referred to in subsection (a)(2) beginning at a point with coordinates N158,444.58, E660,220.95, thence running north 79 degrees 37 minutes 14 seconds east 833.31 feet to a point N158,594.72, E661,040.67, thence running south 80 degrees 51 minutes 53 seconds east 181.21 feet to a point N158,565.95, E661,219.58, thence running north 57 degrees 38 minutes 04 seconds west 126.02 feet to a point N158,633.41, E660,113.14, thence running south 79 degrees 37 minutes 14 seconds west 911.61 feet to a point N158,469.17, E660,216.44, thence running south 10 degrees 22 minutes 46 seconds east 25 feet returning to a point N158,444.58, E660,220.95, is redesignated as an anchorage area.

(c) WELLS HARBOR, MAINE.—

(1) PROJECT MODIFICATION.—The Wells Harbor, Maine, navigation project referred to in subsection (a)(9) is modified to authorize the Secretary to realign the channel and anchorage areas based on a harbor design capacity of 150 craft.

(2) REDESIGNATIONS.—

(A) 6-FOOT ANCHORAGE.—The following portions of the Wells Harbor, Maine, navigation project referred to in subsection (a)(9) 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.

(B) 6-FOOT CHANNEL.—The following portion of the Wells Harbor, Maine, navigation project referred to in subsection (a)(9) shall be redesignated as part of the 6-foot channel: 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.

(3) REALIGNMENT.—The 6-foot anchorage area described in paragraph (2)(B) 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.

(4) RELOCATION.—The Secretary may relocate the settling basin feature of the Wells Harbor, Maine, navigation project referred to in subsection (a)(9) to the outer harbor between the jetties.

(5) ADDITIONAL ACTIONS.—In carrying out the operation and the maintenance of the Wells Harbor, Maine, navigation project referred to in subsection (a)(9), the Secretary shall undertake each of the actions of the Corps of Engineers specified in section IV(B) of the memorandum of agreement relating to the project dated January 20, 1998, including the actions specified in section IV(B) that the parties agreed to ask the Corps of Engineers to undertake.

(6) 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.

(d) ANCHORAGE AREA, GREEN HARBOR, MASSACHUSETTS.—The portion of the Green Harbor, Massachusetts, navigation project referred to in subsection (a)(11) consisting of a 6-foot deep channel that lies northerly of a line the coordinates of which are North 394825.00, East 831660.00 and North 394779.28, East 831570.64 is redesignated as an anchorage area.

SEC. 366. AMERICAN AND SACRAMENTO RIVERS, CALIFORNIA.

(a) IN GENERAL.—The project for flood damage reduction, American and Sacramento Rivers, California, authorized by section 101(a)(1) of the Water Resources Development Act of 1996 (110 Stat. 3662–3663), is modified to direct the Secretary to include the following improvements as part of the overall project:

(1) Raising the left bank of the non-Federal levee upstream of the Mayhew Drain for a distance of 4,500 feet by an average of 2.5 feet.

(2) Raising the right bank of the American River levee from 1,500 feet upstream to 4,000 feet downstream of the Howe Avenue bridge by an average of 1 foot.

(3) Modifying the south levee of the Natomas Cross Canal for a distance of 5 miles to ensure that the south levee is consistent with the level of protection provided by the authorized levee along the east bank of the Sacramento River.

(4) Modifying the north levee of the Natomas Cross Canal for a distance of 5 miles to ensure that the height of the levee is equivalent to the height of the south levee as authorized by paragraph (3).

(5) Installing gates to the existing Mayhew Drain culvert and pumps to prevent backup of floodwater on the Folsom Boulevard side of the gates.

(6) Installing a slurry wall in the north levee of the American River from the east levee of the Natomas east Main Drain upstream for a distance of approximately 1.2 miles.

(7) Installing a slurry wall in the north levee of the American River from 300 feet west of Jacob Lane north for a distance of approximately 1 mile to the end of the existing levee.

(b) COST LIMITATIONS.—Section 101(a)(1)(A) of the Water Resources Development Act of 1996 (110 Stat. 3662) is amended by striking ''at a total cost of'' and all that follows through ''$14,225,000,'' and inserting the following: ''at a total cost of $91,900,000, with an estimated Federal cost of $68,925,000 and an estimated non-Federal cost of $22,975,000,''.

(c) COST SHARING.—For the purposes of section 103 of the Water Resources Development Act of 1986 (33 U.S.C. 2213), the modifications authorized by this section shall be subject to the same cost sharing in effect for the project for flood damage reduction, American and Sacramento Rivers, California, authorized by section 101(a)(1) of the Water Resources Development Act of 1996 (110 Stat. 3662).

SEC. 367. MARTIN, KENTUCKY.

The project for flood control, Martin, Kentucky, authorized by section 202(a) of the Energy and Water Development Appropriations Act, 1981 (94 Stat. 1339), is modified to authorize the Secretary to take all necessary measures to prevent future losses that would occur as a result of a flood equal in magnitude to a 100-year frequency event.

SEC. 368. SOUTHERN WEST VIRGINIA PILOT PROGRAM.

Section 340(g) of the Water Resources Development Act of 1992 (106 Stat. 4856) is amended to read as follows:

''(g) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out the pilot program under this section $40,000,000 for fiscal years beginning after September 30, 1992. Such sums shall remain available until expended.''.

SEC. 369. BLACK WARRIOR AND TOMBIGBEE RIVERS, JACKSON, ALABAMA.

(a) IN GENERAL.—The project for navigation, Black Warrior and Tombigbee Rivers, vicinity of Jackson, Alabama, authorized by section 106 of the Energy and Water Development Appropriations Act, 1987 (100 Stat. 3341–199), is modified to authorize the Secretary to acquire land for mitigation of the habitat losses attributable to the project, including the navigation channel, dredged material disposal areas, and other areas directly affected by construction of the project.

(b) CONSTRUCTION BEFORE ACQUISITION OF MITIGATION LAND.—Notwithstanding section 906 of the Water Resources Development Act of 1986 (33 U.S.C. 2283), the Secretary may construct the project before acquisition of the mitigation land if the Secretary takes such actions as are necessary to ensure that any required mitigation land will be acquired not later than 2 years after initiation of construction of the new channel and that the acquisition will fully mitigate any adverse environmental impacts resulting from the project.

SEC. 370. TROPICANA WASH AND FLAMINGO WASH, NEVADA.

Any Federal costs associated with the Tropicana Wash and Flamingo Wash, 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 eligible for reimbursement by the Secretary.

SEC. 371. COMITE RIVER, LOUISIANA.

The Comite River Diversion Project for flood control, authorized as part of the project for flood control, Amite River and Tributaries, Louisiana, by section 101(11) of the Water Resources Development Act of 1992 (106 Stat. 4802) and modified by section 301(b)(5) of the Water Resources Development Act of 1996 (110 Stat. 3709), is further modified to authorize the Secretary to include the costs of highway relocations to be cost shared as a project construction feature.

SEC. 372. ST. MARYS RIVER, MICHIGAN.

The project for navigation, St. Marys River, Michigan, is modified to direct the Secretary to provide an additional foot of overdraft between Point Louise Turn and the Locks, Sault Sainte Marie, Michigan, consistent with the channels upstream of Point Louise Turn. The modification shall be carried out as operation and maintenance to improve navigation safety.

SEC. 373. CHARLEVOIX, 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. 374. WHITE RIVER BASIN, ARKANSAS AND MISSOURI.

(a) IN GENERAL.—Subject to subsection (b), 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 House Document 917, 76th Congress, 3d Session, and House Document 290, 77th Congress, 1st Session, approved August 18, 1941, and House Document 499, 83d Congress, 2d Session, approved September 3, 1954, and by section 304 of the Water Resources Development Act of 1996 (110 Stat. 3711) is further 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, 1.5 feet; Table Rock, 2 feet; Bull Shoals Lake, 5 feet; Norfork Lake, 3.5 feet; and Greers Ferry Lake, 3 feet.

(b) REPORT.—

(1) IN GENERAL.—No funds may be obligated to carry out work on the modification under subsection (a) until completion of a final report by the Chief of Engineers finding that the work is technically sound, environmentally acceptable, and economically justified.

(2) TIMING.—The Secretary shall submit the report to Congress not later than July 30, 2000.

(3) CONTENTS.—The report shall include determinations concerning whether—

(A) the modification under subsection (a) adversely affects other authorized project purposes; and

(B) Federal costs will be incurred in connection with the modification.

SEC. 375. WAURIKA LAKE, OKLAHOMA, WATER CONVEYANCE FACILITIES.

For the project for construction of the water conveyances authorized by the first section of Public Law 88–253 (77 Stat. 841), the requirements 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 before the United States Claims Court, and to make a payment of $595,000 of the final cost representing a portion of the difference between the 1978 estimate of cost and the actual cost determined after completion of the project in 1991, are waived.

TITLE IV—STUDIES

SEC. 401. DEEP DRAFT HARBOR COST SHARING.

(a) IN GENERAL.—The Secretary shall undertake a study of non-Federal cost-sharing requirements for the construction and operation and maintenance of deep draft harbor projects to determine whether—

(1) cost sharing adversely affects United States port development or domestic and international trade; and

(2) any revision of the cost-sharing requirements would benefit United States domestic and international trade.

(b) RECOMMENDATIONS.—

(1) IN GENERAL.—Not later than May 30, 2001, the Secretary shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives any recommendations that the Secretary may have in light of the study under subsection (a).

(2) CONSIDERATIONS.—In making recommendations, the Secretary shall consider—

(A) the potential economic, environmental, and budgetary impacts of any proposed revision of the cost-sharing requirements; and

(B) the effect that any such revision would have on regional port competition.

SEC. 402. BOYDSVILLE, ARKANSAS.

The Secretary shall conduct a study to determine the feasibility of the reservoir and associated improvements to provide for flood control, recreation, water quality, and fish and wildlife purposes in the vicinity of Boydsville, Arkansas.

SEC. 403. GREERS FERRY LAKE, ARKANSAS.

The Secretary shall conduct a study to determine the feasibility of constructing water intake facilities at Greers Ferry Lake, Arkansas.

SEC. 404. DEL NORTE COUNTY, CALIFORNIA.

The Secretary shall conduct a study to determine the feasibility of designating a permanent disposal site for dredged material from Federal navigation projects in Del Norte County, California.

SEC. 405. 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.

SEC. 406. MARE ISLAND STRAIT, CALIFORNIA.

(a) IN GENERAL.—The Secretary shall conduct a general reevaluation to determine the Federal interest in reconfiguring the Mare Island Strait channel.

(b) CONSIDERATIONS.—In determining the Federal interest, the Secretary shall consider the benefits of economic activity associated with potential future uses of the channel and any other benefits that could be realized by increasing the width and depth of the channel to accommodate both current and potential future uses of the channel.

SEC. 407. STRAWBERRY CREEK, BERKELEY, CALIFORNIA.

The Secretary shall conduct a study to determine—

(1) the feasibility of restoring Strawberry Creek, Berkeley, California; and

(2) the Federal interest in environmental restoration, conservation of fish and wildlife resources, recreation, and water quality of the creek.

SEC. 408. SWEETWATER RESERVOIR, SAN DIEGO COUNTY, CALIFORNIA.

The Secretary shall conduct a study of the potential water quality problems and pollution abatement measures in the watershed in and around Sweetwater Reservoir, San Diego County, California.

SEC. 409. WHITEWATER RIVER BASIN, CALIFORNIA.

The Secretary shall complete a study to determine the feasibility of a flood damage reduction project in the Whitewater River basin (also known as ''Thousand Palms''), California.

SEC. 410. DESTIN-NORIEGA POINT, 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.

SEC. 411. LITTLE ECONLACKHATCHEE RIVER BASIN, FLORIDA.

The Secretary shall conduct a study of pollution abatement measures in the Little Econlackhatchee River basin, Florida.

SEC. 412. PORT EVERGLADES, BROWARD COUNTY, FLORIDA.

The Secretary shall conduct a study to determine the feasibility of constructing a sand bypassing project at the Port Everglades Inlet, Florida.

SEC. 413. LAKE ALLATOONA, ETOWAH RIVER, AND LITTLE RIVER WATERSHED, GEORGIA.

(a) IN GENERAL.—The Secretary, in cooperation with the Administrator of the Environmental Protection Agency, may carry out the following water-related environmental restoration and resource protection investigations into restoring Lake Allatoona, the Etowah River, and the Little River watershed, Georgia:

(1) LAKE ALLATOONA/ETOWAH RIVER SHORELINE RESTORATION INVESTIGATION.—Feasibility phase investigation to identify and recommend to Congress structural and nonstructural measures to alleviate shore erosion and sedimentation problems along the shores of Lake Allatoona and the Etowah River.

(2) LITTLE RIVER ENVIRONMENTAL RESTORATION INVESTIGATION.—Feasibility phase investigation to evaluate environmental problems and recommend environmental restoration measures (including appropriate environmental structural and nonstructural measures) for the Little River watershed, Georgia.

(b) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated for the period beginning with fiscal year 2000—

(1) $850,000 to carry out subsection (a)(1); and

(2) $500,000 to carry out subsection (a)(2).

SEC. 414. BOISE, IDAHO.

The Secretary shall conduct a study to determine the feasibility of undertaking flood control on the Boise River in Boise, Idaho.

SEC. 415. 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 activities along the Goose Creek watershed near Oakley, Idaho.

SEC. 416. 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.

SEC. 417. 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.

SEC. 418. SNAKE RIVER AND PAYETTE RIVER, IDAHO.

The Secretary shall conduct a study to determine the feasibility of undertaking a flood control project along the Snake River and Payette River, in the vicinity of Payette, Idaho.

SEC. 419. UPPER DES PLAINES RIVER AND TRIBUTARIES, ILLINOIS AND WISCONSIN.

(a) IN GENERAL.—The Secretary shall conduct a study of the upper Des Plaines River and tributaries, Illinois and Wisconsin, upstream of the confluence with Salt Creek at Riverside, Illinois, to determine the feasibility of improvements in the interests of flood damage reduction, environmental restoration and protection, water quality, recreation, and related purposes.

(b) SPECIAL RULE.—In conducting the study, the Secretary may not exclude from consideration and evaluation flood damage reduction measures based on restrictive policies regarding the frequency of flooding, the drainage area, and the amount of runoff.

(c) CONSULTATION AND USE OF EXISTING DATA.—In carrying out this section, the Secretary shall—

(1) consult with appropriate Federal and State agencies; and

(2) make maximum use of data in existence on the date of enactment of this Act and ongoing programs and efforts of Federal agencies and States.

SEC. 420. CAMERON PARISH WEST OF CALCASIEU RIVER, LOUISIANA.

The Secretary shall conduct a study to determine the feasibility of undertaking a storm damage reduction and ecosystem restoration project for Cameron Parish west of Calcasieu River, Louisiana.

SEC. 421. 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.

SEC. 422. GRAND ISLE AND VICINITY, LOUISIANA.

In carrying out a study of the storm damage reduction benefits to Grand Isle and vicinity, Louisiana, the Secretary shall include benefits that a storm damage reduction project for Grand Isle and vicinity, Louisiana, may have on the mainland coast of Louisiana as project benefits attributable to the Grand Isle project.

SEC. 423. GULF INTRACOASTAL WATERWAY ECOSYSTEM, CHEF MENTEUR TO SABINE RIVER, LOUISIANA.

(a) 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.

(b) MATTERS TO BE ADDRESSED.—The study shall address saltwater intrusion, tidal scour, erosion, compaction, subsidence, wind and wave action, bank failure, and other problems relating to ecosystem restoration and protection.

SEC. 424. MUDDY RIVER, BROOKLINE AND BOSTON, MASSACHUSETTS.

(a) 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.

(b) REPORT.—Not later than June 30, 2000, the Secretary shall submit to Congress a report on the results of the evaluation.

SEC. 425. WESTPORT, MASSACHUSETTS.

(a) IN GENERAL.—The Secretary shall conduct a study to determine the feasibility of undertaking a navigation project for the town of Westport, Massachusetts.

(b) CONSIDERATIONS.—In determining the benefits of the project, the Secretary shall include the benefits derived from using dredged material for shore protection and storm damage reduction.

SEC. 426. ST. CLAIR RIVER AND LAKE ST. CLAIR, MICHIGAN.

(a) PLAN.—The Secretary, in coordination with State and local governments and appropriate Federal and provincial authorities of Canada, shall develop a comprehensive management plan for St. Clair River and Lake St. Clair.

(b) ELEMENTS.—The plan shall include the following elements:

(1) Identification of the causes and sources of environmental degradation.

(2) Continuous monitoring of organic, biological, metallic, and chemical contamination levels.

(3) Timely dissemination of information of contamination levels to public authorities, other interested parties, and the public.

(c) REPORT.—Not later than 1 year after the date of enactment of this Act, the Secretary shall submit to Congress a report that includes the plan developed under subsection (a) and recommendations for potential restoration measures.

(d) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $400,000.

SEC. 427. ST. CLAIR SHORES, MICHIGAN.

The Secretary shall conduct a study to determine the feasibility of constructing a flood control project at St. Clair Shores, Michigan.

SEC. 428. WOODTICK PENINSULA, MICHIGAN, AND TOLEDO HARBOR, OHIO.

The Secretary shall conduct a study to determine the feasibility of using dredged material from Toledo Harbor, Ohio, to provide erosion reduction, navigation, and ecosystem restoration at Woodtick Peninsula, Michigan.

SEC. 429. PASCAGOULA HARBOR, MISSISSIPPI.

(a) 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).

(b) CONTENTS.—The study under subsection (a) shall—

(1) 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.

SEC. 430. TUNICA LAKE WEIR, MISSISSIPPI.

(a) 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.

(b) ECONOMIC ANALYSIS.—In carrying out the study, the Secretary shall include as part of the economic analysis the benefits derived from

recreation uses at Tunica Lake and economic benefits associated with restoration of fish and wildlife habitat.

SEC. 431. YELLOWSTONE RIVER, MONTANA.

(a) 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.

(b) 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.

(c) REPORT.—Not later than 5 years after the date of enactment of this Act, the Secretary shall submit to Congress a report on the results of the study.

SEC. 432. LAS VEGAS VALLEY, NEVADA.

(a) IN GENERAL.—The Secretary shall conduct a comprehensive study of water resources in the Las Vegas Valley, Nevada.

(b) OBJECTIVES.—The study shall identify problems and opportunities related to ecosystem restoration, water quality (particularly the quality of surface runoff), and flood control.

SEC. 433. SOUTHWEST VALLEY, ALBUQUERQUE, NEW MEXICO.

The Secretary shall conduct a study to determine the feasibility of undertaking a project for flood damage reduction in the Southwest Valley, Albuquerque, New Mexico.

SEC. 434. CAYUGA CREEK, NEW YORK.

The Secretary shall conduct a study to determine the feasibility of undertaking a project for flood control for Cayuga Creek, New York.

SEC. 435. LAKE CHAMPLAIN, NEW YORK AND VERMONT.

The Secretary shall conduct a study to determine the feasibility of restoring Lake Champlain, New York and Vermont, to improve water quality, fish and wildlife habitat, and navigation.

SEC. 436. OSWEGO RIVER BASIN, NEW YORK.

The Secretary shall conduct a study to determine the feasibility of establishing a flood forecasting system in the Oswego River basin, New York.

SEC. 437. WHITE OAK RIVER, NORTH CAROLINA.

The Secretary shall conduct a study to determine whether there is a Federal interest in a project for water quality, environmental restoration and protection, and related purposes on the White Oak River, North Carolina.

SEC. 438. ARCOLA CREEK WATERSHED, MADISON, OHIO.

The Secretary shall conduct a study to determine the feasibility of undertaking a project to provide environmental restoration and protection for the Arcola Creek watershed, Madison, Ohio.

SEC. 439. 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.

SEC. 440. TOUSSAINT RIVER, CARROLL TOWNSHIP, OHIO.

The Secretary shall conduct a study to determine the feasibility of undertaking navigation improvements on the Toussaint River, Carroll Township, Ohio.

SEC. 441. WESTERN LAKE ERIE BASIN, OHIO, INDIANA, AND MICHIGAN.

(a) IN GENERAL.—The Secretary shall conduct a study to develop measures to improve flood control, navigation, water quality, recreation, and fish and wildlife habitat in a comprehensive manner in the western Lake Erie basin, Ohio, Indiana, and Michigan, including watersheds of the Maumee, Ottawa, and Portage Rivers.

(b) COOPERATION.—In carrying out the study, the Secretary shall—

(1) cooperate with interested Federal, State, and local agencies and nongovernmental organizations; and

(2) consider all relevant programs of the agencies.

(c) REPORT.—Not later than 1 year after the date of enactment of this Act, the Secretary shall submit to Congress a report on the results of the study, including findings and recommendations.

SEC. 442. SCHUYLKILL RIVER, NORRISTOWN, PENNSYLVANIA.

The Secretary shall conduct a study to determine the feasibility of undertaking a project for flood control for the Schuylkill River, Norristown, Pennsylvania.

SEC. 443. SOUTH CAROLINA COASTAL AREAS.

(a) 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.

(b) 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.

(c) COOPERATION.—The studies shall be conducted in cooperation with the appropriate Federal and State environmental agencies.

SEC. 444. SANTEE DELTA FOCUS AREA, 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, South Carolina, to determine the feasibility of undertaking a project to enhance wetland habitat and public recreational opportunities in the area.

SEC. 445. WACCAMAW RIVER, SOUTH CAROLINA.

The Secretary shall conduct a study to determine the feasibility of undertaking a flood control project for the Waccamaw River in Horry County, South Carolina.

SEC. 446. DAY COUNTY, SOUTH DAKOTA.

The Secretary shall conduct—

(1) an investigation of flooding and other water resources problems between the James River and Big Sioux watersheds, South Dakota; and

(2) an assessment of flood damage reduction needs of the area.

SEC. 447. NIOBRARA RIVER AND MISSOURI RIVER, 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, South Dakota, 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.

SEC. 448. CORPUS CHRISTI, TEXAS.

The Secretary shall include, as part of the study authorized by a resolution of the Committee on Public Works and Transportation of the House of Representatives dated August 1, 1990, a review of two 175-foot-wide barge shelves on either side of the navigation channel at the Port of Corpus Christi, Texas.

SEC. 449. MITCHELL'S CUT CHANNEL (CANEY FORK CUT), TEXAS.

The Secretary shall conduct a study to determine the feasibility of undertaking a project for navigation, Mitchell's Cut Channel (Caney Fork Cut), Texas.

SEC. 450. MOUTH OF COLORADO RIVER, TEXAS.

The Secretary shall conduct a study to determine the feasibility of undertaking a project for navigation at the mouth of the Colorado River, Texas, to provide a minimum draft navigation channel extending from the Colorado River through Parkers Cut (also known as ''Tiger Island Cut''), or an acceptable alternative, to Matagorda Bay.

SEC. 451. SANTA CLARA RIVER, UTAH.

(a) 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.

(b) 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 Gunlock, Utah.

SEC. 452. MOUNT ST. HELENS, WASHINGTON.

(a) IN GENERAL.—The Secretary shall conduct a study to determine the feasibility of undertaking 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.

(b) REQUIREMENTS.—In carrying out the study, the Secretary shall—

(1) work in close coordination with local governments, watershed entities, the State of Washington, and other Federal agencies; and

(2) place special emphasis on—

(A) 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

(B) other watershed restoration objectives.

SEC. 453. KANAWHA RIVER, FAYETTE COUNTY, WEST VIRGINIA.

The Secretary shall conduct a study to determine the feasibility of developing a public port along the Kanawha River in Fayette County, West Virginia, at a site known as ''Longacre''.

SEC. 454. WEST VIRGINIA PORTS.

The Secretary shall conduct a study to determine the feasibility of expanding public port development in West Virginia along the Ohio River and the navigable portion of the Kanawha River from its mouth to river mile 91.0.

SEC. 455. JOHN GLENN GREAT LAKES BASIN PROGRAM.

(a) STRATEGIC PLANS.—

(1) STUDY.—The Secretary shall conduct a comprehensive study of the Great Lakes region to ensure the future use, management, and protection of water resources and related resources of the Great Lakes basin.

(2) REPORT.—

(A) IN GENERAL.—As expeditiously as possible, but not later than 3 years after the date of enactment of this Act, and every 2 years thereafter, 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 outlining a strategic plan for Corps of Engineers programs and proposed Corps of Engineers projects in the Great Lakes basin.

(B) CONTENTS.—The plan shall include—

(i) details of projects in the Great Lakes region relating to—

(I) navigation improvements, maintenance, and operations for commercial and recreational vessels;

(II) environmental restoration activities;

(III) water level maintenance activities;

(IV) technical and planning assistance to States and remedial action planning committees;

(V) sediment transport analysis, sediment management planning, and activities to support prevention of excess sediment loadings;

(VI) flood damage reduction and shoreline erosion prevention; and

(VII) all other relevant activities of the Corps of Engineers; and

(ii) 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.

(3) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $1,000,000 for the period of fiscal years 2000 through 2003.

(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 the impacts of weather conditions 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 the heads of other 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, using information and studies in existence on the date of enactment of this Act to the extent practicable, and in cooperation with the Great Lakes States, shall 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, and 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. 456. 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 undertaking 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.

SEC. 457. NUTRIENT LOADING RESULTING FROM DREDGED MATERIAL DISPOSAL.

(a) STUDY.—The Secretary shall conduct a study of nutrient loading that occurs as a result of discharges of dredged material into open-water sites in the Chesapeake Bay.

(b) REPORT.—Not later than 18 months after the date of enactment of this Act, the Secretary shall submit to Congress a report on the results of the study.

SEC. 458. UPPER MISSISSIPPI AND ILLINOIS RIVERS LEVEES AND STREAMBANKS PROTECTION.

The Secretary shall conduct a study of erosion damage to levees and other flood control structures on the upper Mississippi and Illinois Rivers and the impact of increased barge and pleasure craft traffic on deterioration of the levees and other flood control structures.

SEC. 459. UPPER MISSISSIPPI RIVER COMPREHENSIVE PLAN.

(a) DEVELOPMENT.—The Secretary shall develop a plan to address water resource and related land resource problems and opportunities in the upper Mississippi and Illinois River basins, from Cairo, Illinois, to the headwaters of the Mississippi River, in the interest 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 and erosion;

(4) watershed nutrient and sediment management;

(5) habitat management;

(6) recreation needs; and

(7) other related purposes.

(b) CONTENTS.—The plan under subsection (a) shall—

(1) contain recommendations on management plans and actions to be carried out by the responsible Federal and non-Federal entities;

(2) specifically address recommendations to authorize construction of a systemic flood control project for the upper Mississippi River; and

(3) include recommendations for Federal action where appropriate and recommendations for 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 carrying out this section, the Secretary shall—

(1) consult with appropriate Federal and State agencies; and

(2) make maximum use of data in existence on the date of enactment of this Act and ongoing programs and efforts of Federal agencies and States in developing the plan under subsection (a).

(d) COST SHARING.—

(1) DEVELOPMENT.—Development of the plan under subsection (a) shall be at Federal expense.

(2) FEASIBILITY STUDIES.—Feasibility studies resulting from development of the plan shall be subject to cost sharing under section 105 of the Water Resources Development Act of 1986 (33 U.S.C. 2215).

(e) 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 under subsection (a).

SEC. 460. SUSQUEHANNA RIVER AND UPPER CHESAPEAKE BAY.

(a) IN GENERAL.—The Secretary shall conduct a study of controlling and managing waterborne debris in the interest of navigation, flood control, environmental restoration, and other purposes in the Susquehanna River Basin, New York, Pennsylvania, and Maryland, and the upper Chesapeake Bay, Maryland.

(b) EVALUATION OF TECHNOLOGIES AND PRACTICES.—The study shall include an evaluation of technologies and practices currently available, in use, or in development in the United States for debris removal programs at various dams and harbors and recommendations for applying those techniques and practices in the Susquehanna River and the upper Chesapeake Bay.

(c) COOPERATION.—The study shall be conducted in cooperation with State agencies and other Federal agencies, the Susquehanna River Basin Commission, and owners of major dams.

TITLE V—MISCELLANEOUS PROVISIONS

SEC. 501. CORPS ASSUMPTION OF NRCS PROJECTS.

(a) LLAGAS CREEK, CALIFORNIA.—The Secretary may complete 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 Natural Resources Conservation Service watershed plan for Llagas Creek, Department of Agriculture, and 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.

(b) THORNTON RESERVOIR, COOK COUNTY, ILLINOIS.—

(1) 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.).

(2) LIMITATION.—No funds may be obligated to carry out work under the modification under paragraph (1) until completion and approval by the Secretary of a final report by the Chief of Engineers finding that the work is technically sound, environmentally acceptable, and economically justified.

(3) 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).

(4) 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.

(5) CREDIT TOWARD NON-FEDERAL SHARE.—The Secretary may credit toward the non-Federal share of the costs of the Thornton Reservoir project all design and construction costs incurred by the non-Federal interests before the

date of signing of the project cooperation agreement.

(6) REEVALUATION REPORT.—The Secretary shall determine the credits authorized by paragraph (5) that are integral to the Thornton Reservoir project and the current total project costs based on a limited reevaluation report.

SEC. 502. ENVIRONMENTAL INFRASTRUCTURE.

(a) IN GENERAL.—Section 219(e) of the Water Resources Development Act of 1992 (106 Stat. 4835; 110 Stat. 3757) is amended by striking paragraphs (5) and (6) and inserting the following:

''(5) $25,000,000 for the project described in subsection (c)(2);

''(6) $20,000,000 for the project described in subsection (c)(9);

''(7) $30,000,000 for the project described in subsection (c)(16); and

''(8) $30,000,000 for the project described in subsection (c)(17).''.

(b) ADDITIONAL ASSISTANCE.—Section 219 of the Water Resources Development Act of 1992 is amended by adding at the end the following:

''(f) ADDITIONAL ASSISTANCE.—The Secretary may provide assistance under subsection (a) and assistance for construction for the following:

''(1) ATLANTA, GEORGIA.—The project described in subsection (c)(2), modified to include $25,000,000 for watershed restoration and development in the regional Atlanta watershed, including Big Creek and Rock Creek.

''(2) PATERSON, PASSAIC COUNTY, AND PASSAIC VALLEY, NEW JERSEY.—The project described in subsection (c)(9), modified to include $20,000,000 for drainage facilities to alleviate flooding problems on Getty Avenue in the vicinity of St. Joseph's Hospital for the city of Paterson, New Jersey, and Passaic County, New Jersey, and innovative facilities to manage and treat additional flows in the Passaic Valley, Passaic River basin, New Jersey.

''(3) NASHUA, NEW HAMPSHIRE.—$20,000,000 for a project to eliminate or control combined sewer overflows in the city of Nashua, New Hampshire.

''(4) FALL RIVER AND NEW BEDFORD, MASSACHUSETTS.—$15,000,000 for a project to eliminate or control combined sewer overflows in the cities of Fall River and New Bedford, Massachusetts.

''(5) FINDLAY TOWNSHIP, PENNSYLVANIA.—$11,000,000 for water and wastewater infrastructure in Findlay Township, Allegheny County, Pennsylvania.

''(6) DILLSBURG BOROUGH AUTHORITY, PENNSYLVANIA.—$2,000,000 for water and wastewater infrastructure in Franklin Township, York County, Pennsylvania.

''(7) HAMPDEN TOWNSHIP, PENNSYLVANIA.—$3,000,000 for water, sewer, and storm sewer improvements in Hampden Township, Pennsylvania.

''(8) TOWAMENCIN TOWNSHIP, PENNSYLVANIA.—$1,500,000 for sanitary sewer and water and wastewater infrastructure in Towamencin Township, Pennsylvania.

''(9) DAUPHIN COUNTY, PENNSYLVANIA.—$2,000,000 for a project to eliminate or control combined sewer overflows and water system rehabilitation for the city of Harrisburg, Dauphin County, Pennsylvania.

''(10) EASTERN SHORE AND SOUTHWEST VIRGINIA.—$20,000,000 for water supply and wastewater infrastructure projects in the counties of Accomac, Northampton, Lee, Norton, Wise, Scott, Russell, Dickenson, Buchanan, and Tazewell, Virginia.

''(11) NORTHEAST PENNSYLVANIA.—$20,000,000 for water related infrastructure in the counties of Lackawanna, Lycoming, Susquehanna, Wyoming, Pike, Wayne, Sullivan, Bradford, and Monroe, Pennsylvania, including assistance for the Mountoursville Regional Sewer Authority, Lycoming County, Pennsylvania.

''(12) CALUMET REGION, INDIANA.—$10,000,000 for water related infrastructure projects in the counties of Lake and Porter, Indiana.

''(13) CLINTON COUNTY, PENNSYLVANIA.—$1,000,000 for water related infrastructure in Clinton County, Pennsylvania.

''(14) PATTON TOWNSHIP, PENNSYLVANIA.—$1,400,000 for water related infrastructure in Patton Township, Pennsylvania.

''(15) NORTH FAYETTE TOWNSHIP, ALLEGHENY COUNTY, PENNSYLVANIA.—$500,000 for water related infrastructure in North Fayette Township, Allegheny County, Pennsylvania.

''(16) SPRINGDALE BOROUGH, PENNSYLVANIA.—$500,000 for water related infrastructure in Springdale Borough, Pennsylvania.

''(17) ROBINSON TOWNSHIP, PENNSYLVANIA.—$1,200,000 for water related infrastructure in Robinson Township, Pennsylvania.

''(18) UPPER ALLEN TOWNSHIP, PENNSYLVANIA.—$3,400,000 for water related infrastructure in Upper Allen Township, Pennsylvania.

''(19) JEFFERSON TOWNSHIP, GREENE COUNTY, PENNSYLVANIA.—$1,000,000 for water-related infrastructure in Jefferson Township, Greene County, Pennsylvania.

''(20) LUMBERTON, NORTH CAROLINA.—$1,700,000 for water and wastewater infrastructure projects in Lumberton, North Carolina.

''(21) BATON ROUGE, LOUISIANA.—$10,000,000 for water related infrastructure for the parishes of East Baton Rouge, Ascension, and Livingston, Louisiana.

''(22) EAST SAN JOAQUIN COUNTY, CALIFORNIA.—$25,000,000 for ground water recharge and conjunctive use projects in Stockton East Water District, California.

''(23) SACRAMENTO AREA, CALIFORNIA.—$25,000,000 for regional water conservation and recycling projects in Placer and El Dorado Counties and the San Juan Suburban Water District, California.

''(24) CUMBERLAND COUNTY, TENNESSEE.—$5,000,000 for water supply projects in Cumberland County, Tennessee.

''(25) LAKES MARION AND MOULTRIE, SOUTH CAROLINA.—$5,000,000 for water supply treatment and distribution projects in the counties of Calhoun, Clarendon, Colleton, Dorchester, Orangeberg, and Sumter, South Carolina.

''(26) BRIDGEPORT, CONNECTICUT.—$10,000,000 for a project to eliminate or control combined sewer overflows in the city of Bridgeport, Connecticut.

''(27) HARTFORD, CONNECTICUT.—$10,000,000 for a project to eliminate or control combined sewer overflows in the city of Hartford, Connecticut.

''(28) NEW HAVEN, CONNECTICUT.—$10,000,000 for a project to eliminate or control combined sewer overflows in the city of New Haven, Connecticut.

''(29) OAKLAND COUNTY, MICHIGAN.—$20,000,000 for a project to eliminate or control combined sewer overflows in the cities of Berkley, Ferndale, Madison Heights, Royal Oak, Birmingham, Hazel Park, Oak Park, Southfield, Clawson, Huntington Woods, Pleasant Ridge, and Troy, and the village of Beverly Hills, and the Charter Township of Royal Oak, Michigan.

''(30) DESOTO COUNTY, MISSISSIPPI.—$10,000,000 for a wastewater treatment project in the county of DeSoto, Mississippi.

''(31) KANSAS CITY, MISSOURI.—$15,000,000 for a project to eliminate or control combined sewer overflows in the city of Kansas City, Missouri.

''(32) ST. LOUIS, MISSOURI.—$15,000,000 for a project to eliminate or control combined sewer overflows in the city of St. Louis, Missouri.

''(33) ELIZABETH, NEW JERSEY.—$20,000,000 for a project to eliminate or control combined sewer overflows in the city of Elizabeth, New Jersey.

''(34) NORTH HUDSON, NEW JERSEY.—$10,000,000 for a project to eliminate or control combined sewer overflows in the city of North Hudson, New Jersey.

''(35) INNER HARBOR PROJECT, NEW YORK, NEW YORK.—$15,000,000 for a project to eliminate or control combined sewer overflows for the inner harbor project, New York, New York.

''(36) OUTER HARBOR PROJECT, NEW YORK, NEW YORK.—$15,000,000 for a project to eliminate or control combined sewer overflows for the outer harbor project, New York, New York.

''(37) LEBANON, NEW HAMPSHIRE.—$8,000,000 for a project to eliminate or control combined sewer overflows in the city of Lebanon, New Hampshire.

''(38) ASTORIA, OREGON.—$5,000,000 for a project to eliminate or control combined sewer overflows in the city of Astoria, Oregon.

''(39) CACHE COUNTY, UTAH.—$5,000,000 for a wastewater infrastructure project for Cache County, Utah.

''(40) LAWTON, OKLAHOMA.—$5,000,000 for a wastewater infrastructure project for the city of Lawton, Oklahoma.

''(41) LANCASTER, CALIFORNIA.—$1,500,000 for a project to provide water facilities for the Fox Field Industrial Corridor, Lancaster, California.

''(42) SAN RAMON VALLEY, CALIFORNIA.—$15,000,000 for a project for recycled water for San Ramon Valley, California.

''(43) HARBOR/SOUTH BAY, CALIFORNIA.—$15,000,000 for an industrial water reuse project for the Harbor/South Bay area, California.''.

SEC. 503. CONTAMINATED SEDIMENT DREDGING TECHNOLOGY.

(a) REVIEW OF INNOVATIVE DREDGING TECHNOLOGIES.—

(1) IN GENERAL.—Not later than June 1, 2001, the Secretary shall complete a review of innovative dredging technologies designed to minimize or eliminate contamination of a water column upon removal of contaminated sediments.

(2) TESTING.—

(A) SELECTION OF TECHNOLOGY.—After completion of the review under paragraph (1), the Secretary shall select, from among the technologies reviewed, the technology that the Secretary determines will best increase the effectiveness of removing contaminated sediments and significantly reduce contamination of the water column.

(B) AGREEMENT.—Not later than December 31, 2001, the Secretary shall enter into an agreement with a public or private entity to test the selected technology in the vicinity of Peoria Lakes, Illinois.

(3) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this subsection $2,000,000.

(b) ACCELERATED ADOPTION OF INNOVATIVE TECHNOLOGIES.—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.

''(4) LOCATION.—At least 1 of the projects under this subsection shall be conducted in New England by the University of New Hampshire.''.

SEC. 504. DAM SAFETY.

(a) ASSISTANCE.—The Secretary may provide assistance to enhance dam safety at the following locations:

(1) Healdsburg Veteran's Memorial Dam, California.

(2) Kehly Run Dam, Pennsylvania.

(3) Sweet Arrow Lake Dam, Pennsylvania.

(b) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $6,000,000.

SEC. 505. GREAT LAKES REMEDIAL ACTION PLANS.

Section 401(a)(2) of the Water Resources Development Act of 1990 (33 U.S.C. 1268 note; 104 Stat. 4644; 110 Stat. 3763) is amended—

(1) by striking ''Non-Federal'' and inserting the following:

''(A) IN GENERAL.—Non-Federal''; and

(2) by adding at the end the following:

''(B) CONTRIBUTIONS BY ENTITIES.—Nonprofit public or private entities may contribute all or a portion of the non-Federal share.''.

SEC. 506. 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 ''If the Secretary'' and inserting the following:

''(1) IN GENERAL.—If 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 on 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. 507. MAINTENANCE OF NAVIGATION CHANNELS.

Section 509(a) of the Water Resources Development Act of 1996 (110 Stat. 3759) is amended by adding at the end the following:

''(12) Acadiana Navigation Channel, Louisiana.

''(13) Contraband Bayou, Louisiana, as part of the Calcasieu River and Pass Ship Channel.

''(14) Lake Wallula Navigation Channel, Washington.

''(15) Wadley Pass (also known as 'McGriff Pass'), Suwanee River, Florida.''.

SEC. 508. 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 ''$1,250,000 for each of fiscal years 1999 through 2003''.

SEC. 509. UPPER MISSISSIPPI RIVER ENVIRONMENTAL MANAGEMENT PROGRAM.

(a) AUTHORIZED ACTIVITIES.—Section 1103(e) of the Water Resources Development Act of 1986 (33 U.S.C. 652(e)) is amended by striking ''(e)(1)'' and all that follows through the end of paragraph (1) and inserting the following:

''(e) PROGRAM AUTHORITY.—

''(1) AUTHORITY.—

''(A) IN GENERAL.—The Secretary, in consultation with the Secretary of the Interior and the States of Illinois, Iowa, Minnesota, Missouri, and Wisconsin, may undertake, as identified in the master plan—

''(i) a program for the planning, construction, and evaluation of measures for fish and wildlife habitat rehabilitation and enhancement; and

''(ii) implementation of a long-term resource monitoring, computerized data inventory and analysis, and applied research program.

''(B) ADVISORY COMMITTEE.—In carrying out subparagraph (A)(i), the Secretary shall establish an independent technical advisory committee to review projects, monitoring plans, and habitat and natural resource needs assessments.''.

(b) REPORTS.—Section 1103(e) of the Water Resources Development Act of 1986 (33 U.S.C. 652(e)) is amended by striking paragraph (2) and inserting the following:

''(2) REPORTS.—Not later than December 31, 2004, and not later than December 31 of every sixth year thereafter, the Secretary, in consultation with the Secretary of the Interior and the States of Illinois, Iowa, Minnesota, Missouri, and Wisconsin, shall submit to Congress a report that—

''(A) contains an evaluation of the programs described in paragraph (1);

''(B) describes the accomplishments of each of the programs;

''(C) provides updates of a systemic habitat needs assessment; and

''(D) identifies any needed adjustments in the authorization of the programs.''.

(c) AUTHORIZATION OF APPROPRIATIONS.—Section 1103(e) of the Water Resources Development Act of 1986 (33 U.S.C. 652(e)) is amended—

(1) in paragraph (3)—

(A) by striking ''(1)(A)'' and inserting ''(1)(A)(i)''; and

(B) by striking ''Secretary not to exceed'' and all that follows before the period at the end and inserting ''Secretary $22,750,000 for fiscal year 1999 and each fiscal year thereafter'';

(2) in paragraph (4)—

(A) by striking ''(1)(B)'' and inserting ''(1)(A)(ii)''; and

(B) by striking ''Secretary not to exceed'' and all that follows before the period at the end and inserting ''Secretary $10,420,000 for fiscal year 1999 and each fiscal year thereafter''; and

(3) by striking paragraph (5) and inserting the following:

''(5) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out paragraph (1)(A)(i) $350,000 for each of fiscal years 1999 through 2009.''.

(d) TRANSFER OF AMOUNTS.—Section 1103(e) of the Water Resources Development Act of 1986 (33 U.S.C. 652(e)) is amended by striking paragraph (6) and inserting the following:

''(6) TRANSFER OF AMOUNTS.—For fiscal year 1999 and each fiscal year thereafter, the Secretary, in consultation with the Secretary of the Interior and the States of Illinois, Iowa, Minnesota, Missouri, and Wisconsin, may transfer not to exceed 20 percent of the amounts appropriated to carry out clause (i) or (ii) of paragraph (1)(A) to the amounts appropriated to carry out the other of those clauses.''.

(e) COST SHARING.—Section 1103(e)(7)(A) of the Water Resources Development Act of 1986 (33 U.S.C. 652(e)(7)(A)) is amended 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''.

(f) HABITAT NEEDS ASSESSMENT.—Section 1103(h)(2) of the Water Resources Development Act of 1986 (33 U.S.C. 652(h)(2)) is amended—

(1) by striking ''(2) The Secretary'' and inserting the following:

''(2) DETERMINATION.—

''(A) IN GENERAL.—The Secretary''; and

(2) by adding at the end the following:

''(B) REQUIREMENTS.—The Secretary shall—

''(i) complete the ongoing habitat needs assessment conducted under this paragraph not later than September 30, 2000; and

''(ii) include in each report under subsection (e)(2) the most recent habitat needs assessment conducted under this paragraph.''.

(g) CONFORMING AMENDMENTS.—Section 1103 of the Water Resources Development Act of 1986 (33 U.S.C. 652) is amended—

(1) in subsection (e)(7)—

(A) in subparagraph (A), by striking ''(1)(A)'' and inserting ''(1)(A)(i)''; and

(B) in subparagraph (B), by striking ''paragraphs (1)(B) and (1)(C)'' and inserting ''paragraph (1)(A)(ii)''; and

(2) in subsection (f)(2)—

(A) by striking ''(2)(A)'' and inserting ''(2)''; and

(B) by striking subparagraph (B).

SEC. 510. ATLANTIC COAST OF NEW YORK.

Section 404(c) of the Water Resources Development Act of 1992 (106 Stat. 4863) is amended in the first sentence—

(1) by striking ''is'' and inserting ''are''; and

(2) by inserting after ''1997'' the following: '', and an additional total of $2,500,000 for fiscal years thereafter''.

SEC. 511. WATER CONTROL MANAGEMENT.

(a) IN GENERAL.—In evaluating potential improvements for water control management activities and consolidation of water control management centers, the Secretary may consider a regionalized water control management plan but may not implement such a plan until the date on which a report is submitted under subsection (b).

(b) REPORT.—Not later than 180 days after the date of enactment of this Act, the Secretary shall submit to the Committee on Transportation and Infrastructure and the Committee on Appropriations of the House of Representatives and the Committee on Environment and Public Works and the Committee on Appropriations of the Senate a report containing—

(1) a description of the primary objectives of streamlining water control management activities;

(2) a description of the benefits provided by streamlining water control management activities through consolidation of centers for those activities;

(3) a determination whether the benefits to users of establishing regional water control management centers will be retained in each district office of the Corps of Engineers that does not have a regional center;

(4) a determination whether users of regional centers will receive a higher level of benefits from streamlining water control management activities; and

(5) a list of the members of Congress who represent a district that includes a water control management center that is to be eliminated under a proposed regionalized plan.

SEC. 512. BENEFICIAL USE OF DREDGED MATERIAL.

The Secretary may carry out the following projects under section 204 of the Water Resources Development Act of 1992 (33 U.S.C. 2326):

(1) BODEGA BAY, CALIFORNIA.—A project to make beneficial use of dredged material from a Federal navigation project in Bodega Bay, California.

(2) SABINE REFUGE, LOUISIANA.—A project to make beneficial use of dredged material from Federal navigation projects in the vicinity of Sabine Refuge, Louisiana.

(3) HANCOCK, HARRISON, AND JACKSON COUNTIES, MISSISSIPPI.—A project to make beneficial use of dredged material from a Federal navigation project in Hancock, Harrison, and Jackson Counties, Mississippi.

(4) ROSE CITY MARSH, ORANGE COUNTY, TEXAS.—A project to make beneficial use of dredged material from a Federal navigation project in Rose City Marsh, Orange County, Texas.

(5) BESSIE HEIGHTS MARSH, ORANGE COUNTY, TEXAS.—A project to make beneficial use of dredged material from a Federal navigation project in Bessie Heights Marsh, Orange County, Texas.

SEC. 513. DESIGN AND CONSTRUCTION ASSISTANCE.

Section 507 of the Water Resources Development Act of 1996 (110 Stat. 3758) is amended by striking paragraph (2) and inserting the following:

''(2) Expansion and improvement of Long Pine Run Dam, Pennsylvania, and associated water infrastructure, in accordance with subsections (b) through (e) of section 313 of the Water Resources Development Act of 1992 (106 Stat. 4845), at a total cost of $20,000,000.''.

SEC. 514. 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 plan and 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 this section $30,000,000 for the period of fiscal years 2000 and 2001.

SEC. 515. IRRIGATION DIVERSION PROTECTION AND FISHERIES ENHANCEMENT ASSISTANCE.

(a) IN GENERAL.—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 irrigation systems.

(b) COOPERATION.—Measures under subsection (a)—

(1) shall be developed in cooperation with Federal and State resource agencies; and

(2) shall not impair the continued withdrawal of water for irrigation purposes.

(c) PRIORITY.—In providing assistance under subsection (a), the Secretary shall give priority based on—

(1) the objectives of the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.);

(2) cost-effectiveness; and

(3) the potential for reducing fish mortality.

(d) NON-FEDERAL SHARE.—

(1) IN GENERAL.—The non-Federal share of the cost of measures under subsection (a) shall be 50 percent.

(2) IN-KIND CONTRIBUTIONS.—Not more than 50 percent of the non-Federal contribution may be made through the provision of services, materials, supplies, or other in-kind contributions.

(e) NO CONSTRUCTION ACTIVITY.—This section does not authorize any construction activity.

(f) REPORT.—Not later than 2 years after the date of enactment of this Act, the Secretary shall submit to Congress a report on—

(1) fish mortality caused by irrigation water intake devices;

(2) appropriate measures to reduce fish mortality;

(3) the extent to which those measures are currently being employed in arid States;

(4) the construction costs associated with those measures; and

(5) the appropriate Federal role, if any, to encourage the use of those measures.

SEC. 516. INNOVATIVE TECHNOLOGIES FOR WATERSHED RESTORATION.

The Secretary shall examine using, and, if appropriate, encourage the use of, innovative treatment technologies, including membrane technologies, for watershed and environmental restoration and protection projects involving water quality.

SEC. 517. EXPEDITED CONSIDERATION OF CERTAIN PROJECTS.

The Secretary shall expedite completion of the reports for the following projects and, if justified, proceed directly to project preconstruction, engineering, and design:

(1) Sluice Creek, Guilford, Connecticut, and Lighthouse Point Park, New Haven, Connecticut.

(2) Alafia Channel, Tampa Harbor, Florida, project for navigation.

(3) Little Calumet River, Indiana.

(4) Ohio River Greenway, Indiana, project for environmental restoration and recreation.

(5) Mississippi River, West Baton Rouge Parish, Louisiana, project for waterfront and riverine preservation, restoration, and enhancement modifications.

(6) Extension of locks 20, 21, 22, 24, and 25 on the upper Mississippi River and the La Grange and Peoria locks on the Illinois River, project to provide lock chambers 110 feet in width and 1,200 feet in length.

SEC. 518. DOG RIVER, ALABAMA.

The Secretary shall provide $1,500,000 for environmental restoration for a pilot project, in cooperation with non-Federal interests, to restore natural water depths in the Dog River, Alabama.

SEC. 519. 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. 520. NAVAJO RESERVATION, ARIZONA, NEW MEXICO, AND UTAH.

(a) IN GENERAL.—In cooperation with other appropriate Federal and local agencies, the Secretary shall undertake a survey of, and provide technical, planning, and design assistance for, watershed management, restoration, and development on the Navajo Indian Reservation, Arizona, New Mexico, and Utah.

(b) COST SHARING.—The Federal share of the cost of activities carried out under this section shall be 75 percent. Funds made available under the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450 et seq.) may be used by the Navajo Nation in meeting the non-Federal share of the cost of the activities.

(c) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $12,000,000 for the period beginning with fiscal year 2000.

SEC. 521. 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.

SEC. 522. BEAVER LAKE TROUT PRODUCTION FACILITY, ARKANSAS.

Not later than 2 years after the date of enactment of this Act, the Secretary, in conjunction with the State of Arkansas, shall prepare a plan for the mitigation of effects of the Beaver Dam project on Beaver Lake, including the benefits of and schedule for construction of the Beaver Lake trout production facility and related facilities.

SEC. 523. CHINO DAIRY PRESERVE, CALIFORNIA.

(a) TECHNICAL ASSISTANCE.—The Secretary, in coordination with the heads of other Federal agencies, shall provide technical assistance to State and local agencies in the study, design, and implementation of measures for flood damage reduction and environmental restoration and protection in the Santa Ana River watershed, California, with particular emphasis on structural and nonstructural measures in the vicinity of the Chino Dairy Preserve.

(b) COST SHARING.—The non-Federal share of the cost of activities assisted under subsection (a) shall be 50 percent.

(c) COMPREHENSIVE STUDY.—The Secretary shall conduct a feasibility study to determine

the most cost-effective plan for flood damage reduction and environmental restoration and protection in the vicinity of the Chino Dairy Preserve, Santa Ana River watershed, Orange County and San Bernardino County, California.

SEC. 524. ORANGE AND SAN DIEGO COUNTIES, CALIFORNIA.

(a) IN GENERAL.—The Secretary, in cooperation with local governments, may prepare special area management plans for Orange and San Diego Counties, California, to demonstrate the effectiveness of using the plans to provide information regarding aquatic resources.

(b) USE OF PLANS.—The Secretary may—

(1) use plans described in subsection (a) in making regulatory decisions; and

(2) issue permits consistent with the plans.

SEC. 525. RUSH CREEK, NOVATO, CALIFORNIA.

The Secretary shall carry out a project for flood control under section 205 of the Flood Control Act of 1948 (33 U.S.C. 701s) at Rush Creek, Novato, California, if the Secretary determines that the project is technically sound, environmentally acceptable, and economically justified.

SEC. 526. SANTA CRUZ HARBOR, CALIFORNIA.

The Secretary may—

(1) modify the cooperative agreement with the Santa Cruz Port District, California, to reflect unanticipated additional dredging effort; and

(2) extend the agreement for 10 years.

SEC. 527. LOWER ST. JOHNS RIVER BASIN, FLORIDA.

(a) COMPUTER MODEL.—

(1) IN GENERAL.—The Secretary may apply the computer model developed under the St. Johns River basin feasibility study to assist non-Federal interests in developing strategies for improving water quality in the Lower St. Johns River basin, Florida.

(2) COST SHARING.—The non-Federal share of the cost of activities assisted under paragraph (1) shall be 50 percent.

(b) TOPOGRAPHIC SURVEY.—The Secretary may provide 1-foot contour topographic survey maps of the Lower St. Johns River basin, Florida, to non-Federal interests for analyzing environmental data and establishing benchmarks for subbasins.

SEC. 528. MAYO'S BAR LOCK AND DAM, COOSA RIVER, ROME, GEORGIA.

(a) IN GENERAL.—The Secretary may provide technical assistance (including planning, engineering, and design assistance) for the reconstruction of the Mayo's Bar Lock and Dam, Coosa River, Rome, Georgia.

(b) NON-FEDERAL SHARE.—The non-Federal share of the cost of activities assisted under subsection (a) shall be 50 percent.

SEC. 529. COMPREHENSIVE FLOOD IMPACT RESPONSE MODELING SYSTEM, CORALVILLE RESERVOIR AND IOWA RIVER WATERSHED, IOWA.

(a) IN GENERAL.—The Secretary, in cooperation with the University of Iowa, shall conduct a study and develop a comprehensive flood impact response modeling system for 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 submit 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 to carry out this section $3,000,000.

SEC. 530. ADDITIONAL CONSTRUCTION ASSISTANCE IN ILLINOIS.

The Secretary may carry out the project for Georgetown, Illinois, and the project for Olney, Illinois, referred to in House Report Number 104–741, accompanying the Safe Drinking Water Act Amendments of 1996 (Public Law 104–182).

SEC. 531. KANOPOLIS LAKE, KANSAS.

(a) WATER STORAGE.—The Secretary shall offer to the State of Kansas the right to purchase water storage in Kanapolis Lake, Kansas, at the average of—

(1) the cost calculated in accordance with the terms of the memorandum of understanding entitled ''Memorandum of Understanding Between the State of Kansas and the U.S. Department of the Army Concerning the Purchase of Municipal and Industrial Water Supply Storage'', dated December 11, 1985; and

(2) the cost calculated in accordance with procedures established as of the date of enactment of this Act by the Secretary to determine the cost of water storage at other projects under the Secretary's jurisdiction.

(b) EFFECTIVE DATE.—For the purposes of this section, the effective date of the memorandum of understanding referred to in subsection (a)(1) shall be deemed to be the date of enactment of this Act.

SEC. 532. SOUTHERN AND EASTERN KENTUCKY.

Section 531 of the Water Resources Development Act of 1996 (110 Stat. 3773) is amended—

(1) in subsection (b)—

(A) by striking ''and surface'' and inserting ''surface''; and

(B) by striking ''development.'' and inserting ''development, and small stream flooding, local storm water drainage, and related problems.'';

(2) in subsection (d)(1), by adding at the end the following: ''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.''; and

(3) in subsection (h), by striking ''$10,000,000'' and inserting ''$25,000,000''.

SEC. 533. SOUTHEAST LOUISIANA.

Section 533(c) of the Water Resources Development Act of 1996 (110 Stat. 3775) is amended by striking ''$100,000,000'' and inserting ''$250,000,000''.

SEC. 534. SNUG HARBOR, MARYLAND.

(a) IN GENERAL.—The Secretary, in coordination with the Director of the Federal Emergency Management Agency, may—

(1) provide technical assistance to the residents of Snug Harbor, in the vicinity of Berlin, Maryland, for the purpose of flood damage reduction;

(2) conduct a study of a project consisting of nonstructural measures for flood damage reduction in the vicinity of Snug Harbor, Maryland, taking into account the relationship of both the Ocean City Inlet and Assateague Island to the flooding; and

(3) after completion of the study, carry out the project under section 205 of the Flood Control Act of 1948 (33 U.S.C. 701s).

(b) FEMA ASSISTANCE.—The Director, in coordination with the Secretary and under the authorities of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.), may provide technical assistance and nonstructural measures for flood damage mitigation in the vicinity of Snug Harbor, Maryland.

(c) COST SHARING.—

(1) FEDERAL SHARE.—The Federal share of the cost of assistance under this section shall not exceed $3,000,000.

(2) NON-FEDERAL SHARE.—The non-Federal share of the cost of assistance under this section shall be determined in accordance with title I of the Water Resources Development Act of 1986 (33 U.S.C. 2211 et seq.) or the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.), as appropriate.

SEC. 535. WELCH POINT, ELK RIVER, CECIL COUNTY, AND CHESAPEAKE CITY, MARYLAND.

(a) SPILLAGE OF DREDGED MATERIALS.—The Secretary shall carry out a study to determine whether the spillage of dredged materials that were removed as part of the project for navigation, Inland Waterway from Delaware River to Chesapeake Bay, Delaware and Maryland, authorized by the first section of the Act of August 30, 1935 (49 Stat. 1030, chapter 831), is a significant impediment to vessels transiting the Elk River near Welch Point, Maryland. If the Secretary determines that the spillage is an impediment to navigation, the Secretary may conduct such dredging as may be required to permit navigation on the river.

(b) DAMAGE TO WATER SUPPLY.—The Secretary shall carry out a study to determine whether additional compensation is required to fully compensate the city of Chesapeake, Maryland, for damage to the city's water supply resulting from dredging of the Chesapeake and Delaware Canal project. If the Secretary determines that such additional compensation is required, the Secretary may provide the compensation to the city of Chesapeake.

SEC. 536. CAPE COD CANAL RAILROAD BRIDGE, BUZZARDS BAY, MASSACHUSETTS.

(a) ALTERNATIVE TRANSPORTATION.—The Secretary may provide up to $300,000 for meeting the need for alternative transportation that may arise as a result of the operation, maintenance, repair, and rehabilitation of the Cape Cod Canal Railroad Bridge.

(b) OPERATION AND MAINTENANCE CONTRACT RENEGOTIATION.—Not later than 60 days after the date of enactment of this Act, the Secretary shall enter into negotiation with the owner of the railroad right-of-way for the Cape Cod Canal Railroad Bridge for the purpose of establishing the rights and responsibilities for the operation and maintenance of the Bridge. The Secretary may include in any new contract the termination of the prior contract numbered ER–W175–ENG–1.

SEC. 537. ST. LOUIS, MISSOURI.

(a) DEMONSTRATION PROJECT.—The Secretary, in consultation with local officials, shall conduct a demonstration project to improve water quality in the vicinity of St. Louis, Missouri.

(b) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated $1,700,000 to carry out this section.

SEC. 538. BEAVER BRANCH OF BIG TIMBER CREEK, NEW JERSEY.

At the request of the State of New Jersey or a political subdivision of the State, using authority under law in effect on the date of enactment of this Act, the Secretary may—

(1) compile and disseminate information on floods and flood damage, including identification of areas subject to inundation by floods; and

(2) provide technical assistance regarding floodplain management for the Beaver Branch of Big Timber Creek, New Jersey.

SEC. 539. LAKE ONTARIO AND ST. LAWRENCE RIVER WATER LEVELS, NEW YORK.

On request, the Secretary may provide technical assistance to the International Joint Commission and the St. Lawrence River Board of Control in undertaking studies on the effects of fluctuating water levels on the natural environment, recreational boating, property flooding, and erosion along the shorelines of Lake Ontario and the St. Lawrence River in New York. The Commission and the Board are encouraged to conduct such studies in a comprehensive and thorough manner before implementing any change to Water Regulation Plan 1958–D.

SEC. 540. NEW YORK-NEW JERSEY HARBOR, NEW YORK AND NEW JERSEY.

(a) IN GENERAL.—The Secretary shall conduct a study to analyze the economic and environmental benefits and costs of potential sediment management and contaminant reduction measures.

(b) COOPERATIVE AGREEMENTS.—In conducting the study, the Secretary may enter into cooperative agreements with non-Federal interests to investigate, develop, and support measures for sediment management and reduction of sources of contaminant that affect navigation in the Port of New York-New Jersey and the environmental conditions of the New York-New Jersey Harbor estuary.

SEC. 541. SEA GATE REACH, CONEY ISLAND, NEW YORK, NEW YORK.

The Secretary may construct a project for shoreline protection that includes a beachfill with revetment and T-groin for the Sea Gate Reach on Coney Island, New York, as identified in the March 1998 report prepared for the Corps of Engineers, New York District, entitled ''Field Data Gathering, Project Performance Analysis and Design Alternative Solutions to Improve Sandfill Retention'', at a total cost of $9,000,000, with an estimated Federal cost of $5,850,000 and an estimated non-Federal cost of $3,150,000.

SEC. 542. WOODLAWN, NEW YORK.

(a) IN GENERAL.—The Secretary shall provide planning, design, and other technical assistance to non-Federal interests for identifying and mitigating sources of contamination at Woodlawn Beach in Woodlawn, New York.

(b) COST SHARING.—The non-Federal share of the cost of assistance provided under subsection (a) shall be 50 percent.

SEC. 543. FLOODPLAIN MAPPING, NEW YORK.

(a) IN GENERAL.—The Secretary shall provide assistance for a project to develop maps identifying 100- and 500-year flood inundation areas in the State of New York.

(b) REQUIREMENTS.—Maps developed under the project shall include hydrologic and hydraulic information and shall accurately show the flood inundation of each property by flood risk in the floodplain. The maps shall be produced in a high resolution format and shall be made available to all flood prone areas in the State of New York in an electronic format.

(c) PARTICIPATION OF FEMA.—The Secretary and the non-Federal interests for the project shall work with the Director of the Federal Emergency Management Agency to ensure the validity of the maps developed under the project for flood insurance purposes.

(d) FORMS OF ASSISTANCE.—In carrying out the project, the Secretary may enter into contracts or cooperative agreements with the non-Federal interests or provide reimbursements of project costs.

(e) FEDERAL SHARE.—The Federal share of the cost of the project shall be 50 percent.

(f) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $10,000,000 for the period beginning with fiscal year 2000.

SEC. 544. TOUSSAINT RIVER, CARROLL TOWNSHIP, OTTAWA COUNTY, OHIO.

The Secretary may provide technical assistance for the removal of military ordnance from the Toussaint River, Carroll Township, Ottawa County, Ohio.

SEC. 545. SARDIS RESERVOIR, OKLAHOMA.

(a) IN GENERAL.—The Secretary shall accept from the State of Oklahoma or an agent of the State an amount, 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 Federal Government properties as determined by an independent accounting firm designated by the Director of the Office of Management and Budget. The cost of the determination shall be paid for by the State of Oklahoma or an agent of the State.

(c) EFFECT.—Nothing in this section affects any of the rights or obligations of the parties to the contract referred to in subsection (a).

SEC. 546. SKINNER BUTTE PARK, EUGENE, OREGON.

(a) STUDY.—The Secretary shall conduct a study of the south bank of the Willamette River, in the area of Skinner Butte Park from Ferry Street Bridge to the Valley River footbridge, to determine the feasibility of carrying out a project to stabilize the river bank, and to restore and enhance riverine habitat, using a combination of structural and bioengineering techniques.

(b) FEDERAL PARTICIPATION.—If, on completion of the study, the Secretary determines that the project is technically sound, environmentally acceptable, and economically justified, the Secretary may participate with non-Federal interests in the project.

(c) COST SHARING.—The non-Federal share of the cost of the project shall be 35 percent.

(d) LAND, EASEMENTS, AND RIGHTS-OF-WAY.—

(1) IN GENERAL.—The non-Federal interest shall provide land, easements, rights-of-way, relocations, and dredged material disposal areas necessary for construction of the project.

(2) CREDIT TOWARD NON-FEDERAL SHARE.—The value of the land, easements, rights-of-way, relocations, and dredged material disposal areas provided by the non-Federal interests shall be credited toward the non-Federal share.

(e) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $1,000,000 for the period beginning with fiscal year 2000.

SEC. 547. WILLAMETTE RIVER BASIN, OREGON.

(a) IN GENERAL.—The Secretary, the Director of the Federal Emergency Management Agency, the Administrator of the Environmental Protection Agency, and the heads of other appropriate Federal agencies shall, using authorities under law in effect on the date of enactment of this Act, assist the State of Oregon in developing and implementing a comprehensive basin-wide strategy in the Willamette River basin, Oregon, for coordinated and integrated management of land and water resources to improve water quality, reduce flood hazards, ensure sustainable economic activity, and restore habitat for native fish and wildlife.

(b) TECHNICAL ASSISTANCE, STAFF, AND FINANCIAL SUPPORT.—The heads of the Federal agencies may provide technical assistance, staff, and financial support for development of the basin-wide management strategy.

(c) FLEXIBILITY.—The heads of the Federal agencies shall exercise flexibility to reduce barriers to efficient and effective implementation of the basin-wide management strategy.

SEC. 548. BRADFORD AND SULLIVAN COUNTIES, PENNSYLVANIA.

The Secretary may provide assistance for water-related environmental infrastructure and resource protection and development projects in Bradford and Sullivan Counties, Pennsylvania, using the funds and authorities provided in title I of the Energy and Water Development Appropriations Act, 1999 (Public Law 105–245), under the heading ''CONSTRUCTION, GENERAL'' (112 Stat. 1840) for similar projects in Lackawanna, Lycoming, Susquehanna, Wyoming, Pike, and Monroe Counties, Pennsylvania.

SEC. 549. ERIE HARBOR, PENNSYLVANIA.

The Secretary may reimburse the appropriate non-Federal interest not more than $78,366 for architectural and engineering costs incurred in connection with the Erie Harbor basin navigation project, Pennsylvania.

SEC. 550. POINT MARION LOCK AND DAM, PENNSYLVANIA.

(a) IN GENERAL.—The project for navigation, Point Marion Lock and Dam, borough of Point Marion, Pennsylvania, authorized by section 301(a) of the Water Resources Development Act of 1986 (100 Stat. 4110), is modified to direct the Secretary, in the operation and maintenance of the project, to mitigate damages to the shoreline, at a total cost of $2,000,000.

(b) ALLOCATION.—The cost of the mitigation shall be allocated as an operation and maintenance cost of a Federal navigation project.

SEC. 551. SEVEN POINTS' HARBOR, PENNSYLVANIA.

(a) IN GENERAL.—The Secretary may, at full Federal expense, construct a breakwater at the entrance to Seven Points' Harbor, Pennsylvania.

(b) OPERATION AND MAINTENANCE COSTS.—All operation and maintenance costs associated with the facility constructed under this section shall be the responsibility of the lessee of the marina complex at Seven Points' Harbor.

(c) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $850,000.

SEC. 552. SOUTHEASTERN PENNSYLVANIA.

Section 566(b) of the Water Resources Development Act of 1996 (110 Stat. 3786) is amended by inserting ''environmental restoration,'' after ''water supply and related facilities,''.

SEC. 553. UPPER SUSQUEHANNA-LACKAWANNA, PENNSYLVANIA, WATERSHED MANAGEMENT AND RESTORATION STUDY.

(a) IN GENERAL.—The Secretary shall conduct a study to determine the feasibility of a comprehensive floodplain management and watershed restoration project for the Upper Susquehanna-Lackawanna Watershed, Pennsylvania.

(b) GEOGRAPHIC INFORMATION SYSTEM.—In conducting the study, the Secretary shall use a geographic information system.

(c) PLANS.—The study shall formulate plans for comprehensive floodplain management and environmental restoration.

(d) CREDIT TOWARD NON-FEDERAL SHARE.—Non-Federal interests may receive credit toward the non-Federal share 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 the costs of the study to the maximum extent authorized by law.

SEC. 554. AGUADILLA HARBOR, PUERTO RICO.

The Secretary shall conduct a study to determine whether erosion and additional storm damage risks that exist in the vicinity of Aguadilla Harbor, Puerto Rico, are the result of a Federal navigation project. If the Secretary determines that such erosion and additional storm damage risks are the result of the project, the Secretary shall take appropriate measures to mitigate the erosion and storm damage.

SEC. 555. OAHE DAM TO LAKE SHARPE, SOUTH DAKOTA, STUDY.

Section 441 of the Water Resources Development Act of 1996 (110 Stat. 3747) is amended—

(1) by inserting ''(a) INVESTIGATION.—'' before ''The Secretary''; and

(2) by adding at the end the following:

''(b) REPORT.—Not later than September 30, 1999, the Secretary shall submit to Congress a report on the results of the investigation under this section. The report shall include the examination of financing options for regular maintenance and preservation of the lake. The report shall be prepared in coordination and cooperation with the Natural Resources Conservation Service, other Federal agencies, and State and local officials.''.

SEC. 556. NORTH PADRE ISLAND STORM DAMAGE REDUCTION AND ENVIRONMENTAL RESTORATION PROJECT.

The Secretary is directed to 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 determines that the work is technically sound and environmentally acceptable. The Secretary shall make such a determination not later than 270 days after the date of enactment of this Act.

SEC. 557. NORTHERN WEST VIRGINIA.

The projects described in the following reports are authorized to be carried out by the Secretary substantially in accordance with the plans, and

subject to the conditions, recommended in the reports, and subject to a favorable report of the Chief of Engineers:

(1) PARKERSBURG, WEST VIRGINIA.—Report of the Corps of Engineers entitled ''Parkersburg/Vienna Riverfront Park Feasibility Study'', dated June 1998, at a total cost of $8,400,000, with an estimated Federal cost of $4,200,000, and an estimated non-Federal cost of $4,200,000.

(2) WEIRTON, WEST VIRGINIA.—Report of the Corps of Engineers entitled ''Feasibility Master Plan for Weirton Port and Industrial Center, West Virginia Public Port Authority'', dated December 1997, at a total cost of $18,000,000, with an estimated Federal cost of $9,000,000, and an estimated non-Federal cost of $9,000,000.

(3) ERICKSON/WOOD COUNTY, WEST VIRGINIA.—Report of the Corps of Engineers entitled ''Feasibility Master Plan for Erickson/Wood County Port District, West Virginia Public Port Authority'', dated July 7, 1997, at a total cost of $28,000,000, with an estimated Federal cost of $14,000,000, and an estimated non-Federal cost of $14,000,000.

SEC. 558. MISSISSIPPI RIVER COMMISSION.

Section 8 of the Act of May 15, 1928 (33 U.S.C. 702h; 45 Stat. 537, chapter 569) (commonly known as the ''Flood Control Act of 1928''), is amended by striking ''$7,500'' and inserting ''$21,500''.

SEC. 559. COASTAL AQUATIC HABITAT MANAGEMENT.

(a) IN GENERAL.—The Secretary may cooperate with the Secretaries of Agriculture and the Interior, the Administrators of the Environmental Protection Agency and the National Oceanic and Atmospheric Administration, other appropriate Federal, State, and local agencies, and affected private entities, in the development of a management strategy to address problems associated with toxic microorganisms and the resulting degradation of ecosystems in the tidal and nontidal wetlands and waters of the United States.

(b) ASSISTANCE.—As part of the management strategy, the Secretary may provide planning, design, and other technical assistance to each participating State in the development and implementation of nonregulatory measures to mitigate environmental problems and restore aquatic resources.

(c) COST SHARING.—The Federal share of the cost of measures undertaken under this section shall not exceed 65 percent.

(d) OPERATION AND MAINTENANCE.—The non-Federal share of operation and maintenance costs for projects constructed with assistance provided under this section shall be 100 percent.

(e) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $7,000,000 for the period beginning with fiscal year 2000.

SEC. 560. ABANDONED AND INACTIVE NONCOAL MINE RESTORATION.

(a) IN GENERAL.—The Secretary may provide technical, planning, and design assistance to Federal and non-Federal interests for carrying out projects to address water quality problems caused by drainage and related activities from abandoned and inactive noncoal mines.

(b) SPECIFIC MEASURES.—Assistance provided under subsection (a) may be in support of projects for the purposes of—

(1) managing drainage from abandoned and inactive noncoal mines;

(2) restoring and protecting streams, rivers, wetlands, other waterbodies, and riparian areas degraded by drainage from abandoned and inactive noncoal mines; and

(3) demonstrating management practices and innovative and alternative treatment technologies to minimize or eliminate adverse environmental effects associated with drainage from abandoned and inactive noncoal mines.

(c) NON-FEDERAL SHARE.—The non-Federal share of the cost of assistance under subsection (a) shall be 50 percent, except that the Federal share with respect to projects located on land owned by the United States shall be 100 percent.

(d) EFFECT ON AUTHORITY OF SECRETARY OF THE INTERIOR.—Nothing in this section affects the authority of the Secretary of the Interior under title IV of the Surface Mining Control and Reclamation Act of 1977 (30 U.S.C. 1231 et seq.).

(e) TECHNOLOGY DATABASE FOR RECLAMATION OF ABANDONED MINES.—The Secretary may provide assistance to non-Federal and nonprofit entities to develop, manage, and maintain a database of conventional and innovative, cost-effective technologies for reclamation of abandoned and inactive noncoal mine sites. Such assistance shall be provided through the Rehabilitation of Abandoned Mine Sites Program managed by the Sacramento District Office of the Corps of Engineers.

(f) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $5,000,000.

SEC. 561. BENEFICIAL USE OF WASTE TIRE RUBBER.

(a) IN GENERAL.—The Secretary shall, when appropriate, encourage the beneficial use of waste tire rubber (including crumb rubber and baled tire products) recycled from tires.

(b) INCLUDED BENEFICIAL USES.—Beneficial uses under subsection (a) may include marine pilings, underwater framing, floating docks with built-in flotation, utility poles, and other uses associated with transportation and infrastructure projects receiving Federal funds.

(c) USE OF WASTE TIRE RUBBER.—The Secretary shall encourage the use, when appropriate, of waste tire rubber (including crumb rubber) in projects described in subsection (b).

SEC. 562. SITE DESIGNATION.

Section 102(c)(4) of the Marine Protection, Research, and Sanctuaries Act of 1972 (33 U.S.C. 1412(c)(4)) is amended in the third sentence by striking ''January 1, 2000'' and inserting ''January 1, 2003''.

SEC. 563. LAND CONVEYANCES.

(a) TORONTO LAKE AND EL DORADO LAKE, KANSAS.—

(1) 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 paragraph (2) on which correctional facilities operated by the Kansas Department of Corrections are situated.

(2) LAND DESCRIPTION.—The parcels of land referred to in paragraph (1) are—

(A) the parcel located in Butler County, Kansas, adjacent to the El Dorado Lake Project, consisting of approximately 32.98 acres; and

(B) the parcel located in Woodson County, Kansas, adjacent to the Toronto Lake Project, consisting of approximately 51.98 acres.

(3) CONDITIONS.—

(A) USE OF LAND.—A conveyance of a parcel under paragraph (1) shall be subject to the condition that all right, title, and interest in and to the parcel shall revert to the United States if the parcel is used for a purpose other than that of a correctional facility.

(B) 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.

(b) PIKE COUNTY, MISSOURI.—

(1) LAND EXCHANGE.—Subject to paragraphs (3) and (4), at such time as Holnam Inc. conveys all right, title, and interest in and to the parcel of land described in paragraph (2)(A) to the United States, the Secretary shall convey all right, title, and interest in the parcel of land described in paragraph (2)(B) to Holnam Inc.

(2) LAND DESCRIPTION.—The parcels of land referred to in paragraph (1) are the following:

(A) NON-FEDERAL LAND.—152.45 acres with existing flowage easements situated in Pike County, Missouri, described as a portion of Government Tract Number FM–9 and all of Government Tract Numbers FM–11, FM–10, FM–12, FM–13, and FM–16, owned and administered by Holnam Inc.

(B) FEDERAL LAND.—152.61 acres situated in Pike County, Missouri, known as Government Tract Numbers FM–17 and a portion of FM–18, administered by the Corps of Engineers.

(3) CONDITIONS.—The exchange of land under paragraph (1) shall be subject to the following conditions:

(A) DEEDS.—

(i) NON-FEDERAL LAND.—The conveyance of the land described in paragraph (2)(A) to the Secretary shall be by a warranty deed acceptable to the Secretary.

(ii) FEDERAL LAND.—The instrument of conveyance used to convey the land described in paragraph (2)(B) to Holnam Inc. shall contain such reservations, terms, and conditions as the Secretary considers necessary to allow the United States to operate and maintain the Mississippi River 9-Foot Navigation Project.

(B) REMOVAL OF IMPROVEMENTS.—Holnam Inc. may remove any improvements on the land described in paragraph (2)(A). The Secretary may require Holnam Inc. to remove any improvements on the land described in paragraph (2)(A). In either case, Holnam Inc. shall hold the United States harmless from liability, and the United States shall not incur cost associated with the removal or relocation of any of the improvements.

(C) TIME LIMIT FOR EXCHANGE.—The land exchange under paragraph (1) shall be completed not later than 2 years after the date of enactment of this Act.

(D) LEGAL DESCRIPTION.—The Secretary shall provide the legal description of the land described in paragraph (2). The legal description shall be used in the instruments of conveyance of the land.

(E) ADMINISTRATIVE COSTS.—The Secretary shall require Holnam Inc. to pay reasonable administrative costs associated with the exchange.

(4) VALUE OF PROPERTIES.—If the appraised fair market value, as determined by the Secretary, of the land conveyed to Holnam Inc. by the Secretary under paragraph (1) exceeds the appraised fair market value, as determined by the Secretary, of the land conveyed to the United States by Holnam Inc. under paragraph (1), Holnam Inc. shall make a payment equal to the excess in cash or a cash equivalent to the United States.

(c) CANDY LAKE PROJECT, OSAGE COUNTY, OKLAHOMA.—

(1) DEFINITIONS.—In this subsection:

(A) 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.

(B) 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.

(2) CONVEYANCES.—

(A) IN GENERAL.—The Secretary shall convey 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.

(B) PREVIOUS OWNERS OF LAND.—

(i) IN GENERAL.—The Secretary shall give a previous owner of land the first option to purchase the land described in subparagraph (A).

(ii) 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 paragraph (3).

(II) FIRST TO FILE HAS FIRST OPTION.—If more than 1 application is filed to purchase a parcel of land described in subparagraph (A), the first option to purchase the parcel of land shall be determined in the order in which applications for the parcel of land were filed.

(iii) 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.

(iv) CONSIDERATION.—Consideration for land conveyed under this subsection shall be the fair market value of the land.

(C) DISPOSAL.—Any land described in subparagraph (A) for which an application to purchase the land has not been filed under subparagraph (B)(ii) within the applicable time period shall be disposed of in accordance with law.

(D) EXTINGUISHMENT OF EASEMENTS.—All flowage easements acquired by the United States for use in the Candy Lake project in Osage County, Oklahoma, are extinguished.

(3) NOTICE.—

(A) IN GENERAL.—The Secretary shall notify—

(i) each person identified as a previous owner of land under paragraph (2)(B)(iii), not later than 90 days after identification, by United States mail; and

(ii) the general public, not later than 90 days after the date of enactment of this Act, by publication in the Federal Register.

(B) CONTENTS OF NOTICE.—Notice under this paragraph shall include—

(i) a copy of this subsection;

(ii) information sufficient to separately identify each parcel of land subject to this subsection; and

(iii) specification of the fair market value of each parcel of land subject to this subsection.

(C) OFFICIAL DATE OF NOTICE.—The official date of notice under this subsection shall be the later of—

(i) the date on which actual notice is mailed; or

(ii) the date of publication of the notice in the Federal Register.

(d) LAKE HUGO, OKLAHOMA, AREA LAND CONVEYANCE.—

(1) IN GENERAL.—As soon as practicable after the date of enactment of this Act, the Secretary shall convey at fair market value to Choctaw County Industrial Authority, Oklahoma, the parcels of land described in paragraph (2).

(2) LAND DESCRIPTION.—

(A) IN GENERAL.—The parcel of land to be conveyed under paragraph (1) is the parcel lying above elevation 445.2 feet (NGVD) located in the S½N½SE¼ and the S½SW¼ of Section 13 and the N½NW¼ of Section 24, T 6 S, R 18 E, of the Indian Meridian, in Choctaw County, Oklahoma, the parcel also being part of the Sawyer Bluff Public Use Area and including parts of Hugo Lake Tracts 134 and 139, and more particularly described as follows: Beginning at a point on the east line of Section 13, the point being 100.00 feet north of the southeast corner of S½N½SE¼ of Section 13; thence S 01° 36′ 24″ 100.00 to a Corps of Engineers brass-capped monument at the southeast corner of S½N½SE¼ of Section 13; thence S 88° 16′ 57″ W, along the south line of the S½N½SE¼ of Section 13, 2649.493 feet, more or less, to a Corps of Engineers brass-capped monument on the centerline of Section 13; thence S 01° 20′ 53″ E, along the centerline of Section 13, 1316.632 feet to a Corps of Engineers brass-capped monument; thence S 00° 41′ 35″ E, along the centerline of Section 24, 1000.00 feet, more or a less, to a point lying 50.00 feet north and 300.00 feet, more or less, east of Road B of the Sawyer Bluff Public Use Area; thence westerly and northwesterly, parallel to Road B, to the approximate location of the 445.2-foot contour; thence meandering northerly along the 445.2-foot contour to a point approximately 100.00 feet west and 100.00 feet north of the southwest corner of the S½N½SE¼ of Section 13; thence east, paralleling the south line of the S½N½SE¼ of Section 13, 2649.493 feet, more or less, to the point of beginning.

(B) SURVEY.—The exact description and acreage of the parcel shall be determined by a metes and bounds survey provided by the Choctaw County Industrial Authority.

(e) CONVEYANCE OF PROPERTY IN MARSHALL COUNTY, OKLAHOMA.—

(1) IN GENERAL.—The Secretary shall convey to the State of Oklahoma all right, title, and interest of the United States in and to real property located in Marshall County, Oklahoma, and included in the Lake Texoma (Denison Dam), Oklahoma and Texas, project, consisting of approximately 1,580 acres and leased to the State of Oklahoma for public park and recreation purposes.

(2) CONSIDERATION.—Consideration for the conveyance under paragraph (1) shall be the fair market value of the real property, as determined by the Secretary. All costs associated with the conveyance under paragraph (1) shall be paid by the State of Oklahoma.

(3) DESCRIPTION.—The exact acreage and legal description of the real property to be conveyed under paragraph (1) shall be determined by a survey satisfactory to the Secretary. The cost of the survey shall be paid by the State of Oklahoma.

(4) ENVIRONMENTAL COMPLIANCE.—Before making the conveyance under paragraph (1), the Secretary shall—

(A) conduct an environmental baseline survey to determine whether there are levels of contamination for which the United States would be responsible under the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9601 et seq.); and

(B) ensure that the conveyance complies with the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

(5) OTHER TERMS AND CONDITIONS.—The conveyance under paragraph (1) shall be subject to such other terms and conditions as the Secretary considers appropriate to protect the interests of the United States, including reservation by the United States of a flowage easement over all portions of the real property to be conveyed that are at or below elevation 645.0 NGVD.

(f) SUMMERFIELD CEMETERY ASSOCIATION, OKLAHOMA.—

(1) IN GENERAL.—As soon as practicable after the date of enactment of this Act, the Secretary shall transfer to the Summerfield Cemetery Association, Oklahoma, all right, title, and interest of the United States in and to the land described in paragraph (3) for use as a cemetery.

(2) REVERSION.—If the land to be transferred under this subsection ever ceases to be used as a not-for-profit cemetery or for another public purpose, the land shall revert to the United States.

(3) DESCRIPTION.—The land to be conveyed under this subsection is the approximately 10 acres of land located in Leflore County, Oklahoma, and described as follows:

INDIAN BASIN MERIDIAN

SECTION 23, TOWNSHIP 5 NORTH, RANGE 23 EAST

SW SE SW NW
NW NE NW SW
N½ SW SW NW.

(4) CONSIDERATION.—The conveyance under this subsection shall be without consideration. All costs associated with the conveyance shall be paid by the Summerfield Cemetery Association, Oklahoma.

(5) OTHER TERMS AND CONDITIONS.—The conveyance under this subsection shall be subject to such other terms and conditions as the Secretary considers necessary to protect the interests of the United States.

(g) DEXTER, OREGON.—

(1) IN GENERAL.—The Secretary shall convey to the Dexter Sanitary District all right, title, and interest of the United States in and to a parcel of land consisting of approximately 5 acres located at Dexter Lake, Oregon, under lease to the Dexter Sanitary District.

(2) CONSIDERATION.—Land to be conveyed under this subsection shall be conveyed without consideration. If the land is no longer held in public ownership or no longer used for wastewater treatment purposes, title to the land shall revert to the Secretary.

(3) TERMS AND CONDITIONS.—The conveyance by the United States shall be subject to such terms and conditions as the Secretary considers appropriate to protect the interests of the United States.

(4) SURVEYS.—The exact acreage and description of the land to be conveyed under paragraph (1) shall be determined by such surveys as the Secretary considers necessary. The cost of the surveys shall be borne by the Dexter Sanitary District.

(h) CHARLESTON, SOUTH CAROLINA.—The Secretary may convey the property of the Corps of Engineers known as the ''Equipment and Storage Yard'', located on Meeting Street in Charleston, South Carolina, in as-is condition for fair market value, with all proceeds from the conveyance to be applied by the Corps of Engineers, Charleston District, to offset a portion of the costs of moving or leasing an office facility in the city of Charleston, South Carolina.

(i) RICHARD B. RUSSELL DAM AND LAKE, SOUTH CAROLINA.—

(1) IN GENERAL.—Except as otherwise provided in this subsection, the Secretary shall convey to the State of South Carolina all right, title, and interest of the United States in and to the parcels of land described in paragraph (2)(A) that are being managed, as of the date of enactment of this Act, 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 section 203 of the Flood Control Act of 1966 (80 Stat. 1420) and modified by section 601(a) of the Water Resources Development Act of 1986 (100 Stat. 4140).

(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 paragraph (6).

(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 subsection 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 under this subsection 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 parcels of land conveyed under this subsection 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.

(j) 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 considers 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 under 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.

(k) MATEWAN, WEST VIRGINIA.—

(1) IN GENERAL.—The United States shall convey by quitclaim deed to the town of Matewan, West Virginia, all right, title, and interest of the United States in and to 4 parcels of land that the Secretary determines to be excess to the structural project for flood control constructed by the Corps of Engineers along the Tug Fork River under section 202 of the Energy and Water Development Appropriation Act, 1981 (94 Stat. 1339).

(2) PROPERTY DESCRIPTION.—The parcels of land referred to in paragraph (1) are as follows:

(A) A certain parcel of land in the State of West Virginia, Mingo County, town of Matewan, being more particularly bounded and described as follows:

Beginning at a point on the southerly right-of-way line of a 40-foot-wide street right-of-way (known as McCoy Alley), having an approximate coordinate value of N228,695, E1,662,397, in the line common to the land designated as U.S.A. Tract No. 834, and the land designated as U.S.A. Tract No. 837, said point being South 51°52′ East 81.8 feet from an iron pin and cap marked M–12 on the boundary of the Matewan Area Structural Project, on the north right-of-way line of said street, at a corner common to designated U.S.A. Tracts Nos. 834 and 836; thence, leaving the right-of-way of said street, with the line common to the land of said Tract No. 834, and the land of said Tract No. 837.

South 14°37′ West 46 feet to the corner common to the land of said Tract No. 834, and the land of said Tract No. 837; thence, leaving the land of said Tract No. 837, severing the lands of said Project.

South 14°37′ West 46 feet.

South 68°07′ East 239 feet.

North 26°05′ East 95 feet to a point on the southerly right-of-way line of said street; thence, with the right-of-way of said street, continuing to sever the lands of said Project.

South 63°55′ East 206 feet; thence, leaving the right-of-way of said street, continuing to sever the lands of said Project.

South 26°16′ West 63 feet; thence, with a curve to the left having a radius of 70 feet, a delta of 33°58′, an arc length of 41 feet, the chord bearing.

South 09°17′ West 41 feet; thence, leaving said curve, continuing to sever the lands of said Project.

South 07°42′ East 31 feet to a point on the right-of-way line of the floodwall; thence, with the right-of-way of said floodwall, continuing to sever the lands of said Project.

South 77°04′ West 71 feet.

North 77°10′ West 46 feet.

North 67°07′ West 254 feet.

North 67°54′ West 507 feet.

North 57°49′ West 66 feet to the intersection of the right-of-way line of said floodwall with the southerly right-of-way line of said street; thence, leaving the right-of-way of said floodwall and with the southerly right-of-way of said street, continuing to sever the lands of said Project.

North 83°01′ East 171 feet.

North 89°42′ East 74 feet.

South 83°39′ East 168 feet.

South 83°38′ East 41 feet.

South 77°26′ East 28 feet to the point of beginning, containing 2.59 acres, more or less.

The bearings and coordinate used in this subparagraph are referenced to the West Virginia State Plane Coordinate System, South Zone.

(B) A certain parcel of land in the State of West Virginia, Mingo County, town of Matewan, being more particularly bounded and described as follows:

Beginning at an iron pin and cap designated Corner No. M2–2 on the southerly right-of-way line of the Norfolk and Western Railroad, having an approximate coordinate value of N228,755 E1,661,242, and being at the intersection of the right-of-way line of the floodwall with the boundary of the Matewan Area Structural Project; thence, leaving the right-of-way of said floodwall and with said Project boundary, and the southerly right-of-way of said Railroad.

North 59°45′ East 34 feet.

North 69°50′ East 44 feet.

North 58°11′ East 79 feet.

North 66°13′ East 102 feet.

North 69°43′ East 98 feet.

North 77°39′ East 18 feet.

North 72°39′ East 13 feet to a point at the intersection of said Project boundary, and the southerly right-of-way of said Railroad, with the westerly right-of-way line of State Route 49/10; thence, leaving said Project boundary, and the southerly right-of-way of said Railroad, and with the westerly right-of-way of said road.

South 03°21′ East 100 feet to a point at the intersection of the westerly right-of-way of said road with the right-of-way of said floodwall; thence, leaving the right-of-way of said road, and with the right-of-way line of said floodwall.

South 79°30′ West 69 feet.

South 78°28′ West 222 feet.

South 80°11′ West 65 feet.

North 38°40′ West 14 feet to the point of beginning, containing 0.53 acre, more or less.

The bearings and coordinate used in this subparagraph are referenced to the West Virginia State Plane Coordinate System, South Zone.

(C) A certain parcel of land in the State of West Virginia, Mingo County, town of Matewan, being more particularly bounded and described as follows:

Beginning at a point on the southerly right-of-way line of the Norfolk and Western Railroad, having an approximate coordinate value of N228,936 E1,661,672, and being at the intersection of the easterly right-of-way line of State Route 49/10 with the boundary of the Matewan Area Structural Project; thence, leaving the right-of-way of said road, and with said Project boundary, and the southerly right-of-way of said Railroad.

North 77°49′ East 89 feet to an iron pin and cap designated as U.S.A. Corner No. M–4.

North 79°30′ East 74 feet to an iron pin and cap designated as U.S.A. Corner No. M–5–1; thence, leaving the southerly right-of-way of said Railroad, and continuing with the boundary of said Project.

South 06°33′ East 102 to an iron pipe and cap designated U.S.A. Corner No. M–6–1 on the northerly right-of-way line of State Route 49/28; thence, leaving the boundary of said Project, and with the right-of-way of said road, severing the lands of said Project.

North 80°59′ West 171 feet to a point at the intersection of the Northerly right-of-way line of said State Route 49/28 with the easterly right-of-way line of said State Route 49/10; thence, leaving the right-of-way of said State Route 49/28 and with the right-of-way of said State Route 49/10.

North 03°21′ West 42 feet to the point of beginning, containing 0.27 acre, more or less.

The bearings and coordinate used in this subparagraph are referenced to the West Virginia State Plane Coordinate System, South Zone.

(D) A certain parcel of land in the State of West Virginia, Mingo County, town of Matewan, being more particularly bounded and described as follows:

Beginning at a point at the intersection of the easterly right-of-way line of State Route 49/10 with the right-of-way line of the floodwall, having an approximate coordinate value of N228,826 E1,661,679; thence, leaving the right-of-way of said floodwall, and with the right-of-way of said State Route 49/10.

North 03°21′ West 23 feet to a point at the intersection of the easterly right-of-way line of said State Route 49/10 with the southerly right-of-way line of State Route 49/28; thence, leaving the right-of-way of said State Route 49/10 and with the right-of-way of said State Route 49/28.

South 80°59′ East 168 feet.

North 82°28′ East 45 feet to an iron pin and cap designated as U.S.A. Corner No. M–8–1 on the boundary of the Western Area Structural Project; thence, leaving the right-of-way of said State Route 49/28, and with said Project boundary.

South 08°28′ East 88 feet to an iron pin and cap designated as U.S.A. Corner No. M–9–1 point on the northerly right-of-way line of a street (known as McCoy Alley); thence, leaving said Project boundary and with the northerly right-of-way of said street.

South 83°01′ West 38 feet to a point on the right-of-way line of said floodwall; thence, leaving the right-of-way of said street, and with the right-of-way of said floodwall.

North 57°49′ West 180 feet.

South 79°30′ West 34 feet to a point of beginning, containing 0.24 acre, more or less.

The bearings and coordinate used in this subparagraph are referenced to the West Virginia State Plane Coordinate System, South Zone.

(l) MCNARY NATIONAL WILDLIFE REFUGE.—

(1) TRANSFER OF ADMINISTRATIVE JURISDICTION.—Administrative jurisdiction over the McNary National Wildlife Refuge is transferred from the Secretary to the Secretary of the Interior.

(2) LAND EXCHANGE WITH THE PORT OF WALLA WALLA, WASHINGTON.—

(A) 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.

(B) TERMS AND CONDITIONS.—The land exchange under subparagraph (A) 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—

(i) reasonable administrative costs (not to exceed $50,000) associated with the exchange; and

(ii) 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.

(C) USE OF FUNDS.—The Secretary of the Interior may retain any funds received under subparagraph (B)(ii) and, without further Act of appropriation, may use the funds to acquire replacement habitat for the Mid-Columbia River National Wildlife Refuge Complex.

(3) MANAGEMENT.—The McNary National Wildlife Refuge and land conveyed by the Port of Walla Walla, Washington, under paragraph (2) 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.).

SEC. 564. MCNARY POOL, WASHINGTON.

(a) EXTINGUISHMENT OF REVERSIONARY INTERESTS AND USE RESTRICTIONS.—With respect to each deed listed in subsection (b)—

(1) the reversionary interests and the use restrictions relating to port or industrial purposes are extinguished;

(2) the human habitation or other building structure use restriction is extinguished in each area where the elevation is above the standard project flood elevation; and

(3) the use of fill material to raise low areas above the standard project flood elevation is authorized, except in any low area constituting wetland for which a permit under section 404 of the Federal Water Pollution Control Act (33 U.S.C. 1344) would be required.

(b) AFFECTED DEEDS.—The deeds with the following county auditor's file numbers are referred to in subsection (a):

(1) Auditor's File Numbers 521608 and 529071 of Benton County, Washington.

(2) Auditor's File Numbers 262980, 263334, 318437, and 404398 of Franklin County, Washington.

(3) Auditor's File Numbers 411133, 447417, 447418, 462156, 563333, and 569593 of Walla Walla County, Washington.

(4) Auditor's File Number 285215 of Umatilla County, Oregon, executed by the United States.

(c) NO EFFECT ON OTHER RIGHTS.—Nothing in this section affects the remaining rights and interests of the Corps of Engineers for authorized project purposes.

SEC. 565. NAMINGS.

(a) FRANCIS BLAND FLOODWAY DITCH, ARKANSAS.—

(1) DESIGNATION.—8-Mile Creek in Paragould, Arkansas, shall be known and designated as the ''Francis Bland Floodway Ditch''.

(2) LEGAL REFERENCE.—Any reference in a law, map, regulation, document, paper, or other record of the United States to the creek referred to in paragraph (1) shall be deemed to be a reference to the ''Francis Bland Floodway Ditch''.

(b) LAWRENCE BLACKWELL MEMORIAL BRIDGE, ARKANSAS.—

(1) DESIGNATION.—The bridge over lock and dam numbered 4 on the Arkansas River, Arkansas, constructed as part of the project for navigation on the Arkansas River and tributaries, shall be known and designated as the ''Lawrence Blackwell Memorial Bridge''.

(2) LEGAL REFERENCE.—Any reference in a law, map, regulation, document, paper, or other record of the United States to the bridge referred to in paragraph (1) shall be deemed to be a reference to the ''Lawrence Blackwell Memorial Bridge''.

(c) JOHN H. CHAFEE NATIONAL WILDLIFE REFUGE.—Title II of Public Law 100–610 (16 U.S.C. 668dd note; 102 Stat. 3176) is amended—

(1) in the title heading, by striking ''PETTAQUAMSCUTT COVE'' and inserting ''JOHN H. CHAFEE'';

(2) in section 201—

(A) in paragraph (3), by striking ''and'' at the end;

(B) in paragraph (4), by striking the period at the end and inserting ''; and''; and

(C) by adding at the end the following:

''(5) John H. Chafee has been a steadfast champion for the conservation of fish, wildlife, and natural resources throughout a distinguished career of public service to the people of Rhode Island and the United States.'';

(3) in section 202, by striking ''Pettaquamscutt Cove'' and inserting ''John H. Chafee''; and

(4) in section 203(1), by striking ''Pettaquamscutt Cove'' and inserting ''John H. Chafee''.

SEC. 566. FOLSOM DAM AND RESERVOIR ADDITIONAL STORAGE AND ADDITIONAL FLOOD CONTROL STUDIES.

(a) FOLSOM FLOOD CONTROL STUDIES.—

(1) IN GENERAL.—The Secretary, in consultation with the State of California and local water resources agencies, shall undertake a study of increasing surcharge flood control storage at the Folsom Dam and Reservoir.

(2) LIMITATIONS.—The study of the Folsom Dam and Reservoir undertaken under paragraph (1) shall assume that there is to be no increase in conservation storage at the Folsom Reservoir.

(3) REPORT.—Not later than March 1, 2000, the Secretary shall transmit to Congress a report on the results of the study under this subsection.

(b) AMERICAN AND SACRAMENTO RIVERS FLOOD CONTROL STUDY.—

(1) IN GENERAL.—The Secretary shall undertake a study of all levees on the American River and on the Sacramento River downstream and immediately upstream of the confluence of such Rivers to access opportunities to increase potential flood protection through levee modifications.

(2) DEADLINE FOR COMPLETION.—Not later than March 1, 2000, the Secretary shall transmit to Congress a report on the results of the study undertaken under this subsection.

SEC. 567. WALLOPS ISLAND, VIRGINIA.

(a) EMERGENCY ACTION.—The Secretary shall take emergency action to protect Wallops Island, Virginia, from damaging coastal storms, by improving and extending the existing seawall, replenishing and renourishing the beach, and constructing protective dunes.

(b) REIMBURSEMENT.—The Secretary may seek reimbursement from other Federal agencies whose resources are protected by the emergency action taken under subsection (a).

(c) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $8,000,000.

SEC. 568. DETROIT RIVER, MICHIGAN.

(a) GREENWAY CORRIDOR STUDY.—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.

(b) POTENTIAL MODIFICATIONS.—As part of the study, the Secretary shall review potential project modifications to any Corps of Engineers project within the Detroit River shoreline area.

(c) REPAIR AND REHABILITATION.—

(1) IN GENERAL.—The Secretary may repair and rehabilitate the seawalls on the Detroit River in Detroit, Michigan, if the Secretary determines that such work is technically sound, environmentally acceptable, and economically justified.

(2) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out paragraph (1) $1,000,000 for the period beginning with fiscal year 2000.

SEC. 569. NORTHEASTERN MINNESOTA.

(a) DEFINITION OF NORTHEASTERN MINNESOTA.—In this section, the term ''northeastern Minnesota'' means the counties of Cook, Lake, St. Louis, Koochiching, Itasca, Cass, Crow Wing, Aitkin, Carlton, Pine, Kanabec, Mille Lacs, Morrison, Benton, Sherburne, Isanti, and Chisago, Minnesota.

(b) ESTABLISHMENT OF PROGRAM.—The Secretary may establish a pilot program to provide environmental assistance to non-Federal interests in northeastern Minnesota.

(c) FORM OF ASSISTANCE.—Assistance under this section may be in the form of design and construction assistance for water-related environmental infrastructure and resource protection and development projects in northeastern Minnesota, including projects for wastewater treatment and related facilities, water supply and related facilities, environmental restoration, and surface water resource protection and development.

(d) PUBLIC OWNERSHIP REQUIREMENT.—The Secretary may provide assistance for a project under this section only if the project is publicly owned.

(e) LOCAL COOPERATION AGREEMENT.—

(1) IN GENERAL.—Before providing assistance under this section, the Secretary shall enter into a local cooperation agreement with a non-Federal interest to provide for design and construction of the project to be carried out with the assistance.

(2) REQUIREMENTS.—Each local cooperation agreement entered into under this subsection shall provide for the following:

(A) PLAN.—Development by the Secretary, in consultation with appropriate Federal and State officials, of a facilities or resource protection and development plan, including appropriate engineering plans and specifications.

(B) LEGAL AND INSTITUTIONAL STRUCTURES.—Establishment of such legal and institutional structures as are necessary to ensure the effective long-term operation of the project by the non-Federal interest.

(3) COST SHARING.—

(A) IN GENERAL.—The Federal share of project costs under each local cooperation agreement entered into under this subsection shall be 75 percent. The Federal share may be in the form of grants or reimbursements of project costs.

(B) CREDIT FOR DESIGN WORK.—The non-Federal interest shall receive credit for the reasonable costs of design work completed by the non-Federal interest before entering into a local cooperation agreement with the Secretary for a project. The credit for the design work shall not exceed 6 percent of the total construction costs of the project.

(C) CREDIT FOR INTEREST.—In case of a delay in the funding of the non-Federal share of the costs of a project that is the subject of an agreement under this section, the non-Federal interest shall receive credit for reasonable interest incurred in providing the non-Federal share of the project's costs.

(D) LAND, EASEMENTS, AND RIGHTS-OF-WAY CREDIT.—The non-Federal interest shall receive credit for land, easements, rights-of-way, and relocations toward the non-Federal share of project costs (including all reasonable costs associated with obtaining permits necessary for the construction, operation, and maintenance of the project on publicly owned or controlled land), but not to exceed 25 percent of total project costs.

(E) OPERATION AND MAINTENANCE.—The non-Federal share of operation and maintenance costs for projects constructed with assistance provided under this section shall be 100 percent.

(f) APPLICABILITY OF OTHER FEDERAL AND STATE LAWS.—Nothing in this section waives, limits, or otherwise affects the applicability of any provision of Federal or State law that would otherwise apply to a project to be carried out with assistance provided under this section.

(g) REPORT.—Not later than December 31, 2001, the Secretary shall submit to Congress a report on the results of the pilot program carried out under this section, including recommendations concerning whether the program should be implemented on a national basis.

(h) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $40,000,000 for the period beginning with fiscal year 2000, to remain available until expended.

SEC. 570. ALASKA.

(a) DEFINITION OF NATIVE CORPORATION.—In this section, the term ''Native Corporation'' has the meaning given the term in section 3 of the Alaska Native Claims Settlement Act (43 U.S.C. 1602).

(b) ESTABLISHMENT OF PROGRAM.—The Secretary may establish a pilot program to provide environmental assistance to non-Federal interests in Alaska.

(c) FORM OF ASSISTANCE.—Assistance under this section may be in the form of design and construction assistance for water-related environmental infrastructure and resource protection and development projects in Alaska, including projects for wastewater treatment and related facilities, water supply and related facilities, and surface water resource protection and development.

(d) OWNERSHIP REQUIREMENTS.—The Secretary may provide assistance for a project under this section only if the project is publicly owned or is owned by a Native Corporation.

(e) LOCAL COOPERATION AGREEMENTS.—

(1) IN GENERAL.—Before providing assistance under this section, the Secretary shall enter into a local cooperation agreement with a non-Federal interest to provide for design and construction of the project to be carried out with the assistance.

(2) REQUIREMENTS.—Each local cooperation agreement entered into under this subsection shall provide for the following:

(A) PLAN.—Development by the Secretary, in consultation with appropriate Federal and State officials, of a facilities or resource protection and development plan, including appropriate engineering plans and specifications.

(B) LEGAL AND INSTITUTIONAL STRUCTURES.—Establishment of such legal and institutional structures as are necessary to ensure the effective long-term operation of the project by the non-Federal interest.

(3) COST SHARING.—

(A) IN GENERAL.—The Federal share of the project costs under each local cooperation agreement entered into under this subsection shall be 75 percent. The Federal share may be in the form of grants or reimbursements of project costs.

(B) CREDIT FOR DESIGN WORK.—The non-Federal interest shall receive credit for the reasonable costs of design work completed by the non-Federal interest before entering into a local cooperation agreement with the Secretary for a project. The credit for the design work shall not exceed 6 percent of the total construction costs of the project.

(C) CREDIT FOR INTEREST.—In case of a delay in the funding of the non-Federal share of a project that is the subject of an agreement under this section, the non-Federal interest shall receive credit for reasonable interest incurred in providing the non-Federal share of the project's costs.

(D) LAND, EASEMENTS, AND RIGHTS-OF-WAY CREDIT.—The non-Federal interest shall receive credit for land, easements, rights-of-way, and relocations toward the non-Federal share of project costs (including all reasonable costs associated with obtaining permits necessary for the construction, operation, and maintenance of the project on publicly owned or controlled land), but not to exceed 25 percent of total project costs.

(E) OPERATION AND MAINTENANCE.—The non-Federal share of operation and maintenance costs for projects constructed with assistance provided under this section shall be 100 percent.

(f) APPLICABILITY OF OTHER FEDERAL AND STATE LAWS.—Nothing in this section waives, limits, or otherwise affects the applicability of any provision of Federal or State law that would otherwise apply to a project to be carried out with assistance provided under this section.

(g) REPORT.—Not later than December 31, 2001, the Secretary shall submit to Congress a report on the results of the pilot program carried out under this section, including a recommendation concerning whether the program should be implemented on a national basis.

(h) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $25,000,000 for the period beginning with fiscal year 2000, to remain available until expended.

SEC. 571. CENTRAL WEST VIRGINIA.

(a) DEFINITION OF CENTRAL WEST VIRGINIA.—In this section, the term ''central West Virginia'' means the counties of Mason, Jackson, Putnam, Kanawha, Roane, Wirt, Calhoun, Clay, Nicholas, Braxton, Gilmer, Lewis, Upshur, Randolph, Pendleton, Hardy, Hampshire, Morgan, Berkeley, and Jefferson, West Virginia.

(b) ESTABLISHMENT OF PROGRAM.—The Secretary may establish a pilot program to provide environmental assistance to non-Federal interests in central West Virginia.

(c) FORM OF ASSISTANCE.—Assistance under this section may be in the form of design and construction assistance for water-related environmental infrastructure and resource protection and development projects in central West Virginia, including projects for wastewater treatment and related facilities, water supply and related facilities, and surface water resource protection and development.

(d) PUBLIC OWNERSHIP REQUIREMENT.—The Secretary may provide assistance for a project under this section only if the project is publicly owned.

(e) LOCAL COOPERATION AGREEMENTS.—

(1) IN GENERAL.—Before providing assistance under this section, the Secretary shall enter into a local cooperation agreement with a non-Federal interest to provide for design and construction of the project to be carried out with the assistance.

(2) REQUIREMENTS.—Each local cooperation agreement entered into under this subsection shall provide for the following:

(A) PLAN.—Development by the Secretary, in consultation with appropriate Federal and State officials, of a facilities or resource protection and development plan, including appropriate engineering plans and specifications.

(B) LEGAL AND INSTITUTIONAL STRUCTURES.—Establishment of such legal and institutional structures as are necessary to ensure the effective long-term operation of the project by the non-Federal interest.

(3) COST SHARING.—

(A) IN GENERAL.—The Federal share of the project costs under each local cooperation agreement entered into under this subsection shall be 75 percent. The Federal share may be in the form of grants or reimbursements of project costs.

(B) CREDIT FOR DESIGN WORK.—The non-Federal interest shall receive credit for the reasonable costs of design work completed by the non-Federal interest before entering into a local cooperation agreement with the Secretary for a project. The credit for the design work shall not exceed 6 percent of the total construction costs of the project.

(C) CREDIT FOR INTEREST.—In case of a delay in the funding of the non-Federal share of a project that is the subject of an agreement under this section, the non-Federal interest shall receive credit for reasonable interest incurred in providing the non-Federal share of the project's costs.

(D) LAND, EASEMENTS, AND RIGHTS-OF-WAY CREDIT.—The non-Federal interest shall receive credit for land, easements, rights-of-way, and relocations toward the non-Federal share of project costs (including all reasonable costs associated with obtaining permits necessary for the construction, operation, and maintenance of the project on publicly owned or controlled land), but not to exceed 25 percent of total project costs.

(E) OPERATION AND MAINTENANCE.—The non-Federal share of operation and maintenance costs for projects constructed with assistance provided under this section shall be 100 percent.

(f) APPLICABILITY OF OTHER FEDERAL AND STATE LAWS.—Nothing in this section waives, limits, or otherwise affects the applicability of any provision of Federal or State law that would otherwise apply to a project to be carried out with assistance provided under this section.

(g) REPORT.—Not later than December 31, 2001, the Secretary shall submit to Congress a report on the results of the pilot program carried out under this section, including a recommendation concerning whether the program should be implemented on a national basis.

(h) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $10,000,000 for the period beginning with fiscal year 2000, to remain available until expended.

SEC. 572. SACRAMENTO METROPOLITAN AREA WATERSHED RESTORATION, CALIFORNIA.

(a) LIMITATION.—The Secretary may undertake studies to determine the extent of ground water contamination and the feasibility of prevention and cleanup of such contamination resulting from the acts of a Federal department or agency—

(1) at or in the vicinity of McClellan Air Force Base, Mather Air Force Base, or Sacramento Army Depot, California; or

(2) at any place in the Sacramento metropolitan area watershed where the Federal Government would be a responsible party under any Federal environmental law.

(b) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $1,000,000 for the period beginning with fiscal year 2000.

SEC. 573. ONONDAGA LAKE, NEW YORK.

(a) IN GENERAL.—The Secretary shall—

(1) plan, design, and construct projects that are consistent with the Onondaga Lake Management Plan and comply with the amended consent judgment and the project labor agreement for the environmental restoration, conservation, and management of Onondaga Lake, New York; and

(2) provide, in coordination with the Administrator of the Environmental Protection Agency, financial assistance, including grants to the State of New York and political subdivisions of the State, for the development and implementation of projects to restore, conserve, and manage the lake.

(b) PARTNERSHIP.—

(1) IN GENERAL.—In carrying out this section, the Secretary shall establish and lead a partnership with appropriate Federal agencies (including the Environmental Protection Agency) and the State of New York and political subdivisions of the State for the purpose of development and implementation of the projects.

(2) COORDINATION WITH ACTIONS UNDER OTHER LAW.—

(A) IN GENERAL.—The partnership shall coordinate the actions taken under this section with actions to restore and conserve Onondaga Lake taken under other provisions of Federal or State law.

(B) NO EFFECT ON OTHER LAW.—Except as provided in subsection (g), this section does not alter, modify, or affect any other provision of Federal or State law.

(3) TERMINATION.—Unless the Secretary and the Governor of the State of New York agree otherwise, the partnership established under this subsection shall terminate not later than the date that is 15 years after the date of enactment of this Act.

(c) REVISIONS TO THE ONONDAGA LAKE MANAGEMENT PLAN.—

(1) IN GENERAL.—In consultation with the partnership established under subsection (b) and after providing for public review and comment, the Secretary and the Administrator of the Environmental Protection Agency shall approve revisions to the Onondaga Lake Management Plan if the Governor of the State of New York concurs in the approval.

(2) NO EFFECT ON MODIFICATION OF AMENDED CONSENT JUDGMENT.—Paragraph (1) has no effect on the conditions under which the amended consent judgment referred to in subsection (a)(1) may be modified.

(d) COST SHARING.—

(1) NON-FEDERAL SHARE.—The non-Federal share of the cost of a project constructed under subsection (a) shall be not less than 30 percent of the total cost of the project and may be provided through the provision of in-kind services.

(2) ADMINISTRATION AND MANAGEMENT.—The Secretary's administration and management of the project shall be at full Federal expense.

(e) NO EFFECT ON LIABILITY.—The provision of financial assistance under this section shall not relieve from liability any person that would otherwise be liable under Federal or State law for damages, response costs, natural resource damages, restitution, equitable relief, or any other relief.

(f) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $10,000,000.

(g) REPEAL.—Title IV of the Great Lakes Critical Programs Act of 1990 (104 Stat. 3010) and section 411 of the Water Resources Development Act of 1990 (104 Stat. 4648) are repealed effective on the date that is 1 year after the date of enactment of this Act.

SEC. 574. EAST LYNN LAKE, WEST VIRGINIA.

The Secretary shall defer any decision relating to the leasing of mineral resources underlying East Lynn Lake, West Virginia, project lands to the Federal entity vested with such leasing authority.

SEC. 575. EEL RIVER, CALIFORNIA.

(a) IN GENERAL.—The Secretary shall conduct a study to determine whether flooding in the city of Ferndale, California, is the result of the Federal flood control project on the Eel River.

(b) MITIGATION MEASURES.—If the Secretary determines that the flooding is the result of the project, the Secretary shall take appropriate measures (including dredging of the Salt River and construction of sediment ponds at the confluence of Francis, Reas, and Williams Creeks) to mitigate the flooding.

SEC. 576. NORTH LITTLE ROCK, ARKANSAS.

The Secretary—

(1) shall review a report prepared by the non-Federal interest concerning flood protection for the Dark Hollow area of North Little Rock, Arkansas; and

(2) if the Secretary determines that the report meets the evaluation and design standards of the Corps of Engineers and that the project is economically justified, technically sound, and environmentally acceptable, may carry out the project.

SEC. 577. UPPER MISSISSIPPI RIVER, MISSISSIPPI PLACE, ST. PAUL, MINNESOTA.

(a) IN GENERAL.—The Secretary may enter into a cooperative agreement to participate in a project for the planning, design, and construction of infrastructure and other improvements at Mississippi Place, St. Paul, Minnesota.

(b) COST SHARING.—

(1) IN GENERAL.—The Federal share of the cost of the project shall be 50 percent. The Federal share may be provided in the form of grants or reimbursements of project costs.

(2) CREDIT FOR NON-FEDERAL WORK.—The non-Federal interest shall receive credit toward the non-Federal share of the cost of the project for reasonable costs incurred by the non-Federal interest as a result of participation in the planning, design, and construction of the project.

(3) LAND, EASEMENTS, AND RIGHTS-OF-WAY CREDIT.—The non-Federal interest shall receive credit toward the non-Federal share of the cost of the project for land, easements, rights-of-way, and relocations provided by the non-Federal interest with respect to the project.

(4) OPERATION AND MAINTENANCE.—The non-Federal share of operation and maintenance costs for the project shall be 100 percent.

(c) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated $3,000,000 to carry out this section.

SEC. 578. 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. 579. 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. 580. 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. 581. 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. 582. 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 plasma 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 the Water Resources Development Act of 1999, 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. 583. 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. 584. 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. 585. SAN JACINTO DISPOSAL AREA, GALVESTON, TEXAS.

Section 108 of the Energy and Water Development Appropriations Act, 1994 (107 Stat. 1320), is amended—

(1) in the first sentence of subsection (a), by inserting ''all or any part of'' after ''absolute title to'';

(2) by striking subsection (b) and inserting the following:

''(b) COMPENSATION FOR CONVEYANCE.—

''(1) IN GENERAL.—Upon receipt of compensation from the City of Galveston, the Secretary shall convey the parcel, or any part of the parcel, as described in subsection (a).

''(2) FULL PARCEL.—If the full 605-acre parcel is conveyed, the compensation shall be—

''(A) conveyance to the Department of the Army of fee simple absolute title to a parcel of land containing approximately 564 acres on Pelican Island, Texas, in the Eneas Smith Survey, A–190, Pelican Island, city of Galveston, Galveston County, Texas, adjacent to property currently owned by the United States, with the fair market value of the parcel being determined in accordance with subsection (d); and

''(B) payment to the United States of an amount equal to the difference between the fair market value of the parcel to be conveyed under subsection (a) and the fair market value of the parcel to be conveyed under subparagraph (A).

''(3) PARTIAL PARCEL.—If the conveyance is 125 acres or less, compensation shall be an amount equal to the fair market value of the parcel to be conveyed, with the fair market value of the parcel being determined in accordance with subsection (d).''; and

(3) in the second sentence of subsection (c)—

(A) by inserting '', or any part of the parcel,'' after ''parcel''; and

(B) by inserting '', if any,'' after ''LCA''.

SEC. 586. 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. 587. OVERFLOW MANAGEMENT FACILITY, RHODE ISLAND.

Section 585 of the Water Resources Development Act of 1996 (110 Stat. 3791) is amended—

(1) in subsection (a), by striking ''river'' and inserting ''sewer''; and

(2) in subsection (b), by striking ''$30,000,000'' and inserting ''$60,000,000''.

SEC. 588. LOWER CHENA RIVER, ALASKA.

The Secretary may expend up to $500,000 in fiscal year 2000 to complete the dredging project initiated on the Lower Chena River, Alaska.

SEC. 589. NUMANA DAM FISH PASSAGE, NEVADA.

After the date of enactment of this Act, the Secretary shall complete planning, design, and construction of the Numana Dam Fish Passage Project, currently being evaluated under section 1135 of the Water Resources Development Act of 1986 (33 U.S.C. 2309a), under section 906(b) of that Act (33 U.S.C. 2283(b)).

SEC. 590. EMBREY DAM, VIRGINIA.

(a) IN GENERAL.—The Secretary shall remove the Embrey Dam on the Rappahannock River at Fredericksburg, Virginia, at full Federal expense.

(b) USE OF EXISTING STUDIES.—The Secretary shall expedite the feasibility study and preconstruction, engineering, and design of the project by using, to the maximum extent practicable, existing studies prepared by the State and non-Federal interests.

(c) AUTHORIZATION.—There is authorized to be appropriated to carry out this section $10,000,000.

SEC. 591. ENVIRONMENTAL REMEDIATION, FRONT ROYAL, VIRGINIA.

(a) PARTICIPATION OF SECRETARY.—

(1) AUTHORIZATION.—The Secretary shall participate with other Federal departments and agencies in environmental restoration and remediation activities (including the demolition of contaminated buildings) at the Avtex Fibers facility in Front Royal, Virginia, at full Federal expense.

(2) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $12,000,000.

(b) PARTICIPATION OF SECRETARY OF DEFENSE.—

(1) REQUIREMENT.—The Secretary of Defense shall make available $5,000,000 for environmental restoration and remediation activities (including the demolition of contaminated buildings) at the Avtex Fibers facility in Front Royal, Virginia.

(2) SOURCE OF FUNDS.—The amount made available under paragraph (1) shall be derived from amounts in the Environmental Restoration Account, Formerly Used Defense Sites, established by section 2703 of title 10, United States Code.

SEC. 592. MISSISSIPPI.

(a) ESTABLISHMENT OF PROGRAM.—The Secretary may establish a pilot program to provide environmental assistance to non-Federal interests in Mississippi.

(c) FORM OF ASSISTANCE.—Assistance under this section may be in the form of design and construction assistance for water-related environmental infrastructure and resource protection and development projects in Mississippi, including projects for wastewater treatment and related facilities, elimination or control of combined sewer overflows, water supply and related facilities, environmental restoration, and surface water resource protection and development.

(d) PUBLIC OWNERSHIP REQUIREMENT.—The Secretary may provide assistance for a project under this section only if the project is publicly owned.

(e) LOCAL COOPERATION AGREEMENT.—

(1) IN GENERAL.—Before providing assistance under this section, the Secretary shall enter into a local cooperation agreement with a non-Federal interest to provide for design and construction of the project to be carried out with the assistance.

(2) REQUIREMENTS.—Each local cooperation agreement entered into under this subsection shall provide for the following:

(A) PLAN.—Development by the Secretary, in consultation with appropriate Federal and State officials, of a facilities or resource protection and development plan, including appropriate engineering plans and specifications.

(B) LEGAL AND INSTITUTIONAL STRUCTURES.—Establishment of such legal and institutional structures as are necessary to ensure the effective long-term operation of the project by the non-Federal interest.

(3) COST SHARING.—

(A) IN GENERAL.—The Federal share of project costs under each local cooperation agreement entered into under this subsection shall be 75 percent. The Federal share may be in the form of grants or reimbursements of project costs.

(B) CREDIT FOR DESIGN WORK.—The non-Federal interest shall receive credit for the reasonable costs of design work completed by the non-Federal interest before entering into a local cooperation agreement with the Secretary for a project. The credit for the design work shall not exceed 6 percent of the total construction costs of the project.

(C) CREDIT FOR INTEREST.—In case of a delay in the funding of the non-Federal share of the costs of a project that is the subject of an agreement under this section, the non-Federal interest shall receive credit for reasonable interest incurred in providing the non-Federal share of the project's costs.

(D) LAND, EASEMENTS, AND RIGHTS-OF-WAY CREDIT.—The non-Federal interest shall receive credit for land, easements, rights-of-way, and relocations toward the non-Federal share of project costs (including all reasonable costs associated with obtaining permits necessary for the construction, operation, and maintenance of the project on publicly owned or controlled land), but not to exceed 25 percent of total project costs.

(E) OPERATION AND MAINTENANCE.—The non-Federal share of operation and maintenance costs for projects constructed with assistance provided under this section shall be 100 percent.

(f) APPLICABILITY OF OTHER FEDERAL AND STATE LAWS.—Nothing in this section waives, limits, or otherwise affects the applicability of any provision of Federal or State law that would otherwise apply to a project to be carried out with assistance provided under this section.

(g) REPORT.—Not later than December 31, 2001, the Secretary shall submit to Congress a report on the results of the pilot program carried out under this section, including recommendations concerning whether the program should be implemented on a national basis.

(h) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $25,000,000 for the period beginning with fiscal year 2000, to remain available until expended.

SEC. 593. CENTRAL NEW MEXICO.

(a) DEFINITION OF CENTRAL NEW MEXICO.—In this section, the term ''central New Mexico'' means the counties of Bernalillo, Sandoval, and Valencia, New Mexico.

(b) ESTABLISHMENT OF PROGRAM.—The Secretary may establish a pilot program to provide environmental assistance to non-Federal interests in central New Mexico.

(c) FORM OF ASSISTANCE.—Assistance under this section may be in the form of design and construction assistance for water-related environmental infrastructure and resource protection and development projects in central New Mexico, including projects for wastewater treatment and related facilities, water supply, conservation, and related facilities, stormwater retention and remediation, environmental restoration, and surface water resource protection and development.

(d) PUBLIC OWNERSHIP REQUIREMENT.—The Secretary may provide assistance for a project under this section only if the project is publicly owned.

(e) LOCAL COOPERATION AGREEMENT.—

(1) IN GENERAL.—Before providing assistance under this section, the Secretary shall enter into a local cooperation agreement with a non-Federal interest to provide for design and construction of the project to be carried out with the assistance.

(2) REQUIREMENTS.—Each local cooperation agreement entered into under this subsection shall provide for the following:

(A) PLAN.—Development by the Secretary, in consultation with appropriate Federal and State officials, of a facilities or resource protection and development plan, including appropriate engineering plans and specifications.

(B) LEGAL AND INSTITUTIONAL STRUCTURES.—Establishment of such legal and institutional structures as are necessary to ensure the effective long-term operation of the project by the non-Federal interest.

(3) COST SHARING.—

(A) IN GENERAL.—The Federal share of project costs under each local cooperation agreement entered into under this subsection shall be 75 percent. The Federal share may be in the form of grants or reimbursements of project costs.

(B) CREDIT FOR DESIGN WORK.—The non-Federal interest shall receive credit for the reasonable costs of design work completed by the non-Federal interest before entering into a local cooperation agreement with the Secretary for a project. The credit for the design work shall not exceed 6 percent of the total construction costs of the project.

(C) CREDIT FOR INTEREST.—In case of a delay in the funding of the non-Federal share of the costs of a project that is the subject of an agreement under this section, the non-Federal interest shall receive credit for reasonable interest incurred in providing the non-Federal share of the project's costs.

(D) LAND, EASEMENTS, AND RIGHTS-OF-WAY CREDIT.—The non-Federal interest shall receive credit for land, easements, rights-of-way, and relocations toward the non-Federal share of project costs (including all reasonable costs associated with obtaining permits necessary for the construction, operation, and maintenance of the project on publicly owned or controlled land), but not to exceed 25 percent of total project costs.

(E) OPERATION AND MAINTENANCE.—The non-Federal share of operation and maintenance costs for projects constructed with assistance provided under this section shall be 100 percent.

(f) APPLICABILITY OF OTHER FEDERAL AND STATE LAWS.—Nothing in this section waives, limits, or otherwise affects the applicability of any provision of Federal or State law that would otherwise apply to a project to be carried out with assistance provided under this section.

(g) REPORT.—Not later than December 31, 2001, the Secretary shall submit to Congress a report on the results of the pilot program carried out under this section, including recommendations concerning whether the program should be implemented on a national basis.

(h) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $25,000,000 for the period beginning with fiscal year 2000, to remain available until expended.

SEC. 594. OHIO.

(a) ESTABLISHMENT OF PROGRAM.—The Secretary shall establish a program to provide environmental assistance to non-Federal interests in Ohio.

(b) FORM OF ASSISTANCE.—Assistance under this section may be in the form of design and construction assistance for water-related environmental infrastructure and resource protection and development projects in Ohio, including projects for—

(1) wastewater treatment and related facilities;

(2) combined sewer overflow, water supply, storage, treatment, and related facilities;

(3) mine drainage;

(4) environmental restoration; and

(5) surface water resource protection and development.

(c) PUBLIC OWNERSHIP REQUIREMENT.—The Secretary may provide assistance for a project under this section only if the project is publicly owned.

(d) PROJECT COOPERATION AGREEMENTS.—

(1) IN GENERAL.—Before providing assistance under this section, the Secretary shall enter into a project cooperation agreement with a non-Federal interest to provide for design and construction of the project to be carried out with the assistance.

(2) REQUIREMENTS.—Each project cooperation agreement entered into under this subsection shall provide for the following:

(A) PLAN.—Development by the Secretary, in consultation with appropriate Federal and State officials, of a facilities development plan or resource protection plan, including appropriate plans and specifications.

(B) LEGAL AND INSTITUTIONAL STRUCTURES.—Establishment of such legal and institutional structures as are necessary to ensure the effective long-term operation of the project by the non-Federal interest.

(3) COST SHARING.—

(A) IN GENERAL.—The Federal share of project costs under each project cooperation agreement entered into under this subsection shall be 75 percent. The Federal share may be in the form of grants or reimbursements of project costs.

(B) CREDIT FOR DESIGN WORK.—The non-Federal interest shall receive credit for the reasonable costs of design work completed by the non-Federal interest before entering into a project cooperation agreement with the Secretary.

(C) CREDIT FOR CERTAIN FINANCING COSTS.—In case of a delay in the reimbursement of the non-Federal share of the costs of a project, the non-Federal interest shall receive credit for reasonable interest and other associated financing costs necessary for the non-Federal interest to provide the non-Federal share of the project costs.

(D) LAND, EASEMENTS, RIGHTS-OF-WAY, AND RELOCATIONS.—The non-Federal interest shall receive credit for land, easements, rights-of-way, and relocations provided by the non-Federal interest toward the non-Federal share of project costs (including costs associated with obtaining permits necessary for the placement of the project on publicly owned or controlled land), but not to exceed 25 percent of total project costs.

(E) OPERATION AND MAINTENANCE.—The non-Federal share of operation and maintenance costs for projects constructed under an agreement entered into under this subsection shall be 100 percent.

(e) APPLICABILITY OF OTHER FEDERAL AND STATE LAWS.—Nothing in this section waives, limits, or otherwise affects the applicability of any provision of Federal or State law that would otherwise apply to a project to be carried out with assistance provided under this section.

(f) REPORT.—Not later than December 31, 2001, the Secretary shall submit to Congress a report on the results of the program carried out under this section, including recommendations concerning whether the program should be implemented on a national basis.

(g) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $60,000,000.

SEC. 595. RURAL NEVADA AND MONTANA.

(a) DEFINITION OF RURAL NEVADA.—In this section, the term ''rural Nevada'' means—

(1) the counties of Lincoln, White Pine, Nye, Eureka, Elko, Humbardt, Pershing, Churchill, Storey, Lyon, Carson, Douglas, Mineral, Esmeralda, and Lander, Nevada;

(2) the portions of Washoe County, Nevada, that are located outside the cities of Reno and Sparks; and

(3) the portions of Clark County, Nevada, that are located outside the cities of Las Vegas, North Las Vegas, and Henderson and the unincorporated portion of the county in the Las Vegas Valley.

(b) ESTABLISHMENT OF PROGRAM.—The Secretary may establish a program for providing environmental assistance to non-Federal interests in rural Nevada and Montana.

(c) FORM OF ASSISTANCE.—Assistance under this section may be in the form of design and construction assistance for water-related environmental infrastructure and resource protection and development projects in rural Nevada and Montana, including projects for—

(1) wastewater treatment and related facilities;

(2) water supply and related facilities;

(3) environmental restoration; and

(4) surface water resource protection and development.

(d) PUBLIC OWNERSHIP REQUIREMENT.—The Secretary may provide assistance for a project under this section only if the project is publicly owned.

(e) LOCAL COOPERATION AGREEMENT.—

(1) IN GENERAL.—Before providing assistance under this section, the Secretary shall enter into a local cooperation agreement with a non-Federal interest to provide for design and construction of the project to be carried out with the assistance.

(2) REQUIREMENTS.—Each local cooperation agreement entered into under this subsection shall provide for the following:

(A) PLAN.—Development by the Secretary, in consultation with appropriate Federal and State officials, of a facilities or resource protection and development plan, including appropriate engineering plans and specifications.

(B) LEGAL AND INSTITUTIONAL STRUCTURES.—Establishment of such legal and institutional structures as are necessary to ensure the effective long-term operation of the project by the non-Federal interest.

(3) COST SHARING.—

(A) IN GENERAL.—The Federal share of project costs under each local cooperation agreement entered into under this subsection shall be 75 percent. The Federal share may be in the form of grants or reimbursements of project costs.

(B) CREDIT FOR DESIGN WORK.—The non-Federal interest shall receive credit for the reasonable costs of design work completed by the non-Federal interest before entering into a local cooperation agreement with the Secretary for a project.

(C) CREDIT FOR INTEREST.—In case of a delay in the funding of the non-Federal share of the costs of a project that is the subject of an agreement under this section, the non-Federal interest shall receive credit for reasonable interest incurred in providing the non-Federal share of the project costs.

(D) LAND, EASEMENTS, RIGHTS-OF-WAY, AND RELOCATIONS.—The non-Federal interest shall receive credit for land, easements, rights-of way, and relocations provided by the non-Federal interest toward the non-Federal share of project costs (including all reasonable costs associated with obtaining permits necessary for the construction, operation, and maintenance of the project on publicly owned or controlled land), but not to exceed 25 percent of total project costs.

(E) OPERATION AND MAINTENANCE.—The non-Federal share of operation and maintenance costs for projects constructed with assistance provided under this section shall be 100 percent.

(f) APPLICABILITY OF OTHER FEDERAL AND STATE LAWS.—Nothing in this section waives, limits, or otherwise affects the applicability of any provision of Federal or State law that would otherwise apply to a project to be carried out with assistance provided under this section.

(g) REPORT.—Not later than December 31, 2001, the Secretary shall submit to Congress a report on the results of the program carried out under this section, including recommendations concerning whether the program should be implemented on a national basis.

(h) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section for the period beginning with fiscal year 2001—

(1) $25,000,00 for rural Nevada; and

(2) $25,000,000 for Montana;

to remain available until expended.

SEC. 596. PHOENIX, ARIZONA.

Section 1608 of the Reclamation Wastewater and Groundwater Study and Facilities Act (43 U.S.C. 390h–6) is amended—

(1) by striking subsection (a) and inserting the following:

''(a) The Secretary, in cooperation with the city of Phoenix, Arizona, shall participate in the planning, design, and construction of the Phoenix Metropolitan Water Reclamation and

Reuse Project to utilize fully wastewater from the regional wastewater treatment plant for direct municipal, industrial, agricultural and environmental purposes, groundwater recharge and indirect potable reuse in the Phoenix metropolitan area.'';

(2) in subsection (b), by striking the first sentence; and

(3) by striking subsection (c).

SEC. 597. NATIONAL HARBOR, MARYLAND.

(a) IN GENERAL.—The first section of Public Law 99–215 (99 Stat. 1724) is amended in the first sentence of subsection (a)(2) by striking ''solely'' and inserting ''for transportation or''.

(b) REVISION OF QUITCLAIM DEED.—Not later than 30 days after the date of enactment of this Act, the Secretary of the Interior shall—

(1) with the consent of the grantee, withdraw and revise any terms or conditions in the quitclaim deed of December 16, 1986, between the United States and the Maryland-National Capital Park and Planning Commission that limit the authority of the Maryland-National Capital Park and Planning Commission to use the property for transportation purposes; and

(2) prepare, execute, and record a deed that is consistent with this section and the amendment made by subsection (a).

(c) EFFECT ON ENVIRONMENTAL LAW.—Nothing in this section abrogates any requirement of any environmental law.

TITLE VI—CHEYENNE RIVER SIOUX TRIBE, LOWER BRULE SIOUX TRIBE, AND STATE OF SOUTH DAKOTA TERRESTRIAL WILDLIFE HABITAT RESTORATION

SEC. 601. DEFINITIONS.

In this title, the following definitions apply:

(1) COMMISSION.—The term ''Commission'' means the South Dakota Cultural Resources Advisory Commission established by section 605(j).

(2) RESTORATION.—The term ''restoration'' means mitigation of the habitat of wildlife.

(3) SECRETARY.—The term ''Secretary'' means the Secretary of the Army.

(4) TERRESTRIAL WILDLIFE HABITAT.—The term ''terrestrial wildlife habitat'' means a habitat for a wildlife species (including game and nongame species) that existed or exists on an upland habitat (including a prairie grassland, woodland, bottom land forest, scrub, or shrub) or an emergent wetland habitat.

(5) WILDLIFE.—The term ''wildlife'' has the meaning given the term in section 8 of the Fish and Wildlife Coordination Act (16 U.S.C. 666b).

SEC. 602. TERRESTRIAL WILDLIFE HABITAT RESTORATION.

(a) TERRESTRIAL WILDLIFE HABITAT RESTORATION PLANS.—

(1) IN GENERAL.—In accordance with this subsection and in consultation with the Secretary and the Secretary of the Interior, the State of South Dakota, the Cheyenne River Sioux Tribe, and the Lower Brule Sioux Tribe shall, as a condition of the receipt of funds under this title, each develop a plan for the restoration of terrestrial wildlife habitat loss that occurred as a result of flooding related to the Big Bend and Oahe projects carried out as part of the Pick-Sloan Missouri River Basin program.

(2) SUBMISSION OF PLAN TO SECRETARY.—On completion of a plan for terrestrial wildlife habitat restoration, the State of South Dakota, the Cheyenne River Sioux Tribe, and the Lower Brule Sioux Tribe shall submit the plan to the Secretary.

(3) REVIEW BY SECRETARY AND SUBMISSION TO COMMITTEES.—The Secretary shall review the plan and submit the plan, with any comments, to the appropriate committees of the Senate and the House of Representatives.

(4) FUNDING FOR CARRYING OUT PLANS.—

(A) STATE OF SOUTH DAKOTA.—

(i) NOTIFICATION.—On receipt of the plan for terrestrial wildlife habitat restoration submitted by the State of South Dakota, each of the Committees referred to in paragraph (3) shall notify the Secretary of the receipt of the plan.

(ii) AVAILABILITY OF FUNDS.—On notification in accordance with clause (i), the Secretary shall make available to the State of South Dakota funds from the South Dakota Terrestrial Wildlife Habitat Restoration Trust Fund established under section 603, to be used to carry out the plan for terrestrial wildlife habitat restoration submitted by the State and only after the Trust Fund is fully capitalized.

(B) CHEYENNE RIVER SIOUX TRIBE AND LOWER BRULE SIOUX TRIBE.—

(i) NOTIFICATION.—On receipt of the plan for terrestrial wildlife habitat restoration submitted by the Cheyenne River Sioux Tribe and the Lower Brule Sioux Tribe, each of the Committees referred to in paragraph (3) shall notify the Secretary of the Treasury of the receipt of each of the plans.

(ii) AVAILABILITY OF FUNDS.—On notification in accordance with clause (i), the Secretary of the Treasury shall make available to the Cheyenne River Sioux Tribe and the Lower Brule Sioux Tribe funds from the Cheyenne River Sioux Tribe Terrestrial Wildlife Habitat Restoration Trust Fund and the Lower Brule Sioux Tribe Terrestrial Wildlife Habitat Restoration Trust Fund, respectively, established under section 604, to be used to carry out the plan for terrestrial wildlife habitat restoration submitted by the Cheyenne River Sioux Tribe and the Lower Brule Sioux Tribe, respectively, and only after the Trust Fund is fully capitalized.

(C) TRANSITION PERIOD.—

(i) IN GENERAL.—During the period described in clause (ii), the Secretary shall—

(I) fund the terrestrial wildlife habitat restoration programs being carried out on the date of enactment of this Act on Oahe and Big Bend project land and the plans established under this section at a level that does not exceed the highest amount of funding that was provided for the programs during a previous fiscal year; and

(II) fund the activities described in sections 603(d)(3) and 604(d)(3).

(ii) PERIOD.—Clause (i) shall apply during the period—

(I) beginning on the date of enactment of this Act; and

(II) ending on the date on which funds are made available for use from the South Dakota Terrestrial Wildlife Habitat Restoration Trust Fund under section 603(d)(3)(A)(i) and the Cheyenne River Sioux Tribe Terrestrial Wildlife Habitat Restoration Trust Fund and the Lower Brule Sioux Tribe Terrestrial Wildlife Habitat Restoration Trust Fund under section 604(d)(3)(A)(i).

(b) PROGRAMS FOR THE PURCHASE OF WILDLIFE HABITAT LEASES.—

(1) IN GENERAL.—The State of South Dakota may use funds made available under section 603(d)(3)(A)(iii) to develop a program for the purchase of wildlife habitat leases that meets the requirements of this subsection.

(2) DEVELOPMENT OF A PLAN.—

(A) IN GENERAL.—If the State of South Dakota, the Cheyenne River Sioux Tribe, or the Lower Brule Sioux Tribe elects to conduct a program under this subsection, the State of South Dakota, the Cheyenne River Sioux Tribe, or the Lower Brule Sioux Tribe (in consultation with the United States Fish and Wildlife Service and the Secretary and with an opportunity for public comment) shall develop a plan to lease land for the protection and development of wildlife habitat, including habitat for threatened and endangered species, associated with the Missouri River ecosystem.

(B) USE FOR PROGRAM.—The plan shall be used by the State of South Dakota, the Cheyenne River Sioux Tribe, or the Lower Brule Sioux Tribe in carrying out the program carried out under paragraph (1).

(3) CONDITIONS OF LEASES.—Each lease covered under a program carried out under paragraph (1) shall specify that the owner of the property that is subject to the lease shall provide—

(A) public access for sportsmen during hunting season; and

(B) public access for other outdoor uses covered under the lease, as negotiated by the landowner and the State of South Dakota, the Cheyenne River Sioux Tribe, or the Lower Brule Sioux Tribe.

(4) USE OF ASSISTANCE.—

(A) STATE OF SOUTH DAKOTA.—If the State of South Dakota conducts a program under this subsection, the State may use funds made available under section 603(d)(3)(A)(iii) to—

(i) acquire easements, rights-of-way, or leases for management and protection of wildlife habitat, including habitat for threatened and endangered species, and public access to wildlife on private property in the State of South Dakota;

(ii) create public access to Federal or State land through the purchase of easements or rights-of-way that traverse such private property; or

(iii) lease land for the creation or restoration of a wetland on such private property.

(B) CHEYENNE RIVER SIOUX TRIBE AND LOWER BRULE SIOUX TRIBE.—If the Cheyenne River Sioux Tribe or the Lower Brule Sioux Tribe conducts a program under this subsection, the Tribe may use funds made available under section 604(d)(3)(A)(iii) for the purposes described in subparagraph (A).

(c) FEDERAL OBLIGATION FOR TERRESTRIAL WILDLIFE HABITAT MITIGATION FOR THE BIG BEND AND OAHE PROJECTS IN SOUTH DAKOTA.—The establishment of the trust funds under sections 603 and 604 and the development and implementation of plans for terrestrial wildlife habitat restoration developed by the State of South Dakota, the Cheyenne River Sioux Tribe, and the Lower Brule Sioux Tribe in accordance with this section shall be considered to satisfy the Federal obligation under the Fish and Wildlife Coordination Act (16 U.S.C. 661 et seq.) for terrestrial wildlife habitat mitigation for the State of South Dakota, the Cheyenne River Sioux Tribe, and the Lower Brule Sioux Tribe for the Big Bend and Oahe projects carried out as part of the Pick-Sloan Missouri River Basin program.

SEC. 603. SOUTH DAKOTA TERRESTRIAL WILDLIFE HABITAT RESTORATION TRUST FUND.

(a) ESTABLISHMENT.—There is established in the Treasury of the United States a fund to be known as the ''South Dakota Terrestrial Wildlife Habitat Restoration Trust Fund'' (referred to in this section as the ''Fund'').

(b) FUNDING.—For the fiscal year during which this Act is enacted and each fiscal year thereafter until the aggregate amount deposited in the Fund under this subsection is equal to at least $108,000,000, the Secretary of the Treasury shall transfer $10,000,000 from the general fund of the Treasury to the Fund.

(c) INVESTMENTS.—

(1) IN GENERAL.—At the request of the Secretary, the Secretary of the Treasury shall invest the amounts deposited under subsection (b) only in interest-bearing obligations of the United States or in obligations guaranteed by the United States as to both principal and interest.

(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.

(d) PAYMENTS.—

(1) IN GENERAL.—All amounts credited as interest under subsection (c) shall be available, without fiscal year limitation, to the State of South Dakota for use in accordance with paragraph (3) after the Fund has been fully capitalized.

(2) WITHDRAWAL AND TRANSFER OF FUNDS.—Subject to section 602(a)(4)(A), the Secretary shall withdraw amounts credited as interest under paragraph (1) and transfer the amounts

to the State of South Dakota for use as State funds in accordance with paragraph (3) after the Fund has been fully capitalized.

(3) USE OF TRANSFERRED FUNDS.—

(A) IN GENERAL.—Subject to subparagraph (B), the State of South Dakota shall use the amounts transferred under paragraph (2) only to—

(i) fully fund the annually scheduled work described in the terrestrial wildlife habitat restoration plan of the State developed under section 602(a); and

(ii) with any remaining funds—

(I) protect archaeological, historical, and cultural sites located along the Missouri River on land transferred to the State;

(II) fund all costs associated with the ownership, management, operation, administration, maintenance, and development of recreation areas and other lands that are transferred to the State of South Dakota by the Secretary;

(III) purchase and administer wildlife habitat leases under section 602(b);

(IV) carry out other activities described in section 602; and

(V) develop and maintain public access to, and protect, wildlife habitat and recreation areas along the Missouri River.

(B) PROHIBITION.—The amounts transferred under paragraph (2) shall not be used for the purchase of land in fee title.

(e) TRANSFERS AND WITHDRAWALS.—Except as provided in subsection (d), the Secretary may not transfer or withdraw any amount deposited under subsection (b).

(f) ADMINISTRATIVE EXPENSES.—There are authorized to be appropriated to the Secretary of the Treasury such sums as are necessary to pay the administrative expenses of the Fund.

SEC. 604. CHEYENNE RIVER SIOUX TRIBE AND LOWER BRULE SIOUX TRIBE TERRESTRIAL WILDLIFE HABITAT RESTORATION TRUST FUNDS.

(a) ESTABLISHMENT.—There are established in the Treasury of the United States 2 funds to be known as the ''Cheyenne River Sioux Tribe Terrestrial Wildlife Restoration Trust Fund'' and the ''Lower Brule Sioux Tribe Terrestrial Wildlife Habitat Restoration Trust Fund'' (each of which is referred to in this section as a ''Fund'').

(b) FUNDING.—

(1) IN GENERAL.—Subject to paragraph (2), for the fiscal year during which this Act is enacted and each fiscal year thereafter until the aggregate amount deposited in the Funds under this subsection is equal to at least $57,400,000, the Secretary of the Treasury shall transfer $5,000,000 from the general fund of the Treasury to the Funds.

(2) ALLOCATION.—Of the total amount of funds deposited in the Funds for a fiscal year, the Secretary of the Treasury shall deposit—

(A) 74 percent of the funds into the Cheyenne River Sioux Tribe Terrestrial Wildlife Restoration Trust Fund; and

(B) 26 percent of the funds into the Lower Brule Sioux Tribe Terrestrial Wildlife Habitat Restoration Trust Fund.

(c) INVESTMENTS.—

(1) IN GENERAL.—The Secretary of the Treasury shall invest the amounts deposited under subsection (b) only in interest-bearing obligations of the United States or in obligations guaranteed as to both principal and interest by the United States.

(2) INTEREST RATE.—The Secretary of the Treasury shall invest amounts in the Funds in obligations that carry the highest rate of interest among available obligations of the required maturity.

(d) PAYMENTS.—

(1) IN GENERAL.—All amounts credited as interest under subsection (c) shall be available after the Trust Funds are fully capitalized, without fiscal year limitation, to the Cheyenne River Sioux Tribe and the Lower Brule Sioux Tribe for their use in accordance with paragraph (3).

(2) WITHDRAWAL AND TRANSFER OF FUNDS.—Subject to section 602(a)(4)(B), the Secretary of the Treasury shall withdraw amounts credited as interest under paragraph (1) and transfer the amounts to the Cheyenne River Sioux Tribe and the Lower Brule Sioux Tribe for use in accordance with paragraph (3).

(3) USE OF TRANSFERRED FUNDS.—

(A) IN GENERAL.—Subject to subparagraph (B), the Cheyenne River Sioux Tribe and the Lower Brule Sioux Tribe shall use the amounts transferred under paragraph (2) only to—

(i) fully fund the annually scheduled work described in the terrestrial wildlife habitat restoration plan of the respective Tribe developed under section 602(a); and

(ii) with any remaining funds—

(I) protect archaeological, historical, and cultural sites located along the Missouri River on land transferred to the respective Tribe;

(II) fund all costs associated with the ownership, management, operation, administration, maintenance, and development of recreation areas and other lands that are transferred to the respective Tribe by the Secretary;

(III) purchase and administer wildlife habitat leases under section 602(b);

(IV) carry out other activities described in section 602; and

(V) develop and maintain public access to, and protect, wildlife habitat and recreation areas along the Missouri River.

(B) PROHIBITION.—The amounts transferred under paragraph (2) shall not be used for the purchase of land in fee title.

(e) TRANSFERS AND WITHDRAWALS.—Except as provided in subsection (d), the Secretary of the Treasury may not transfer or withdraw any amount deposited under subsection (b).

(f) ADMINISTRATIVE EXPENSES.—There are authorized to be appropriated to the Secretary of the Treasury such sums as are necessary to pay the administrative expenses of the Fund.

SEC. 605. TRANSFER OF FEDERAL LAND TO STATE OF SOUTH DAKOTA.

(a) IN GENERAL.—

(1) TRANSFER.—

(A) IN GENERAL.—The Secretary shall transfer to the Department of Game, Fish and Parks of the State of South Dakota (referred to in this section as the ''Department'') the land and recreation areas described in subsections (b) and (c) for fish and wildlife purposes, or public recreation uses, in perpetuity.

(B) PERMITS, RIGHTS-OF-WAY, AND EASEMENTS.—All permits, rights-of-way, and easements granted by the Secretary to the Oglala Sioux Tribe for land on the west side of the Missouri River between the Oahe Dam and Highway 14, and all permits, rights-of-way, and easements on any other land administered by the Secretary and used by the Oglala Sioux Rural Water Supply System, are granted to the Oglala Sioux Tribe in perpetuity to be held in trust under section 3(e) of the Mni Wiconi Project Act of 1988 (102 Stat. 2568).

(2) USES.—The Department shall maintain and develop the land outside the recreation areas for fish and wildlife purposes in accordance with—

(A) fish and wildlife purposes in effect on the date of enactment of this Act; or

(B) a plan developed under section 602.

(3) CORPS OF ENGINEERS.—The transfer shall not interfere with the Corps of Engineers operation of a project under this section for an authorized purpose of the project under the Act of December 22, 1944 (58 Stat. 887, chapter 665; 33 U.S.C. 701–1 et seq.), or other applicable law.

(4) SECRETARY.—The Secretary shall retain the right to inundate with water the land transferred to the Department under this section or draw down a project reservoir, as necessary to carry out an authorized purpose of a project.

(b) LAND TRANSFERRED.—The land described in this subsection is land that—

(1) is located above the top of the exclusive flood pool of the Oahe, Big Bend, Fort Randall, and Gavin's Point projects of the Pick-Sloan Missouri River Basin program;

(2) was acquired by the Secretary for the implementation of the Pick-Sloan Missouri River Basin program;

(3) is located outside the external boundaries of a reservation of an Indian Tribe; and

(4) is located within the State of South Dakota.

(c) RECREATION AREAS TRANSFERRED.—A recreation area described in this section includes the land and facilities within a recreation area that—

(1) the Secretary determines, at the time of the transfer, is a recreation area classified for recreation use by the Corps of Engineers on the date of enactment of this Act;

(2) is located outside the external boundaries of a reservation of an Indian Tribe;

(3) is located within the State of South Dakota;

(4) is not the recreation area known as ''Cottonwood'', ''Training Dike'', or ''Tailwaters''; and

(5) is located below Gavin's Point Dam in the State of South Dakota in accordance with boundary agreements and reciprocal fishing agreements between the State of South Dakota and the State of Nebraska in effect on the date of enactment of this Act, which agreements shall continue to be honored by the State of South Dakota as the agreements apply to any land or recreation areas transferred under this title to the State of South Dakota below Gavin's Point Dam and on the waters of the Missouri River.

(d) MAP.—

(1) IN GENERAL.—The Secretary, in consultation with the Department, shall prepare a map of the land and recreation areas transferred under this section.

(2) LAND.—The map shall identify—

(A) land reasonably expected to be required for project purposes during the 20-year period beginning on the date of enactment of this Act; and

(B) dams and related structures;

which shall be retained by the Secretary.

(3) AVAILABILITY.—The map shall be on file in the appropriate offices of the Secretary.

(e) SCHEDULE FOR TRANSFER.—

(1) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Secretary of the Army and the Secretary of the Department shall jointly develop a schedule for transferring the land and recreation areas under this section.

(2) TRANSFER DEADLINE.—All land and recreation areas shall be transferred not later than 1 year after the full capitalization of the Trust Fund described in section 603.

(f) TRANSFER CONDITIONS.—The land and recreation areas described in subsections (b) and (c) shall be transferred in fee title to the Department on the following conditions:

(1) RESPONSIBILITY FOR DAMAGE.—The Secretary shall not be responsible for any damage to the land caused by flooding, sloughing, erosion, or other changes to the land caused by the operation of any project of the Pick-Sloan Missouri River Basin program (except as otherwise provided by Federal law).

(2) EASEMENTS, RIGHTS-OF-WAY, LEASES, AND COST-SHARING AGREEMENTS.—The Department shall maintain all easements, rights-of-way, leases, and cost-sharing agreements that are in effect as of the date of the transfer.

(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.

(C) 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 title 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)).

(h) APPLICABILITY OF LAW.—Notwithstanding any other provision of this Act, the following provisions of law shall apply to land transferred under this section:

(1) The National Historic Preservation Act (16 U.S.C. 470 et seq.), including sections 106 and 304 of that Act (16 U.S.C. 470f, 470w–3).

(2) The Archaeological Resources Protection Act of 1979 (16 U.S.C. 470aa et seq.), including sections 4, 6, 7, and 9 of that Act (16 U.S.C. 470cc, 470ee, 470ff, 470hh).

(3) The Native American Graves Protection Act and Repatriation Act (25 U.S.C. 3001 et seq.), including subsections (a) and (d) of section 3 of that Act (25 U.S.C. 3003).

(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).

SEC. 606. TRANSFER OF CORPS OF ENGINEERS LAND FOR INDIAN TRIBES.

(a) IN GENERAL.—

(1) TRANSFER.—The Secretary of the Army shall transfer to the Secretary of the Interior the land and recreation areas described in subsections (b) and (c) for the use of the Indian Tribes in perpetuity.

(2) CORPS OF ENGINEERS.—The transfer shall not interfere with the Corps of Engineers operation of a project under this section for an authorized purpose of the project under the Act of December 22, 1944 (58 Stat. 887, chapter 665; 33 U.S.C. 701–1 et seq.), or other applicable law.

(3) SECRETARY OF THE ARMY.—The Secretary of the Army shall retain the right to inundate with water the land transferred to the Secretary of the Interior under this section or draw down a project reservoir, as necessary to carry out an authorized purpose of a project.

(4) TRUST.—The Secretary of the Interior shall hold in trust for the Cheyenne River Sioux Tribe and the Lower Brule Sioux Tribe the land transferred under this section that is located within the external boundaries of the reservation of the Indian Tribes.

(b) LAND TRANSFERRED.—The land described in this subsection is land that—

(1) is located above the top of the exclusive flood pool of the Big Bend and Oahe projects of the Pick-Sloan Missouri River Basin program;

(2) was acquired by the Secretary of the Army for the implementation of the Pick-Sloan Missouri River Basin program; and

(3) is located within the external boundaries of the reservation of the Cheyenne River Sioux Tribe and the Lower Brule Sioux Tribe.

(c) RECREATION AREAS TRANSFERRED.—A recreation area described in this section includes the land and facilities within a recreation area that—

(1) the Secretary determines, at the time of the transfer, is a recreation area classified for recreation use by the Corps of Engineers on the date of enactment of this Act;

(2) is located within the external boundaries of a reservation of an Indian Tribe; and

(3) is located within the State of South Dakota.

(d) MAP.—

(1) IN GENERAL.—The Secretary, in consultation with the governing bodies of the Cheyenne River Sioux Tribe and the Lower Brule Sioux Tribe, shall prepare a map of the land transferred under this section.

(2) LAND.—The map shall identify—

(A) land reasonably expected to be required for project purposes during the 20-year period beginning on the date of enactment of this Act; and

(B) dams and related structures;

which shall be retained by the Secretary.

(3) AVAILABILITY.—The map shall be on file in the appropriate offices of the Secretary.

(e) SCHEDULE FOR TRANSFER.—

(1) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Secretary and the Chairmen of the Cheyenne River Sioux Tribe and the Lower Brule Sioux Tribe shall jointly develop a schedule for transferring the land and recreation areas under this section.

(2) TRANSFER DEADLINE.—All land and recreation areas shall be transferred not later than 1 year after the full capitalization of the State and tribal Trust Fund described in section 604.

(f) TRANSFER CONDITIONS.—The land and recreation areas described in subsections (b) and (c) shall be transferred to, and held in trust by, the Secretary of the Interior on the following conditions:

(1) RESPONSIBILITY FOR DAMAGE.—The Secretary shall not be responsible for any damage to the land caused by flooding, sloughing, erosion, or other changes to the land caused by the operation of any project of the Pick-Sloan Missouri River Basin program (except as otherwise provided by Federal law).

(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.—

(i) IN GENERAL.—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.

(ii) JURISDICTION UNAFFECTED.—Jurisdiction over land and water owned by the Federal Government and held in trust for the Cheyenne River Sioux Tribe and Lower Brule Sioux Tribe that is not affected by this title shall remain unchanged.

(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)).

(3) EASEMENTS, RIGHTS-OF-WAY, LEASES, AND COST-SHARING AGREEMENTS.—

(A) MAINTENANCE.—The Secretary of the Interior shall maintain all easements, rights-of-way, leases, and cost-sharing agreements that are in effect as of the date of the transfer.

(B) PAYMENTS TO COUNTY.—The Secretary of the Interior shall pay any affected county 100 percent of the receipts from the easements, rights-of-way, leases, and cost-sharing agreements described in subparagraph (A).

(g) EXTERIOR INDIAN RESERVATION BOUNDARIES.—Nothing in this section diminishes, changes, or otherwise affects the exterior boundaries of a reservation of an Indian Tribe.

SEC. 607. ADMINISTRATION.

(a) IN GENERAL.—Nothing in this title diminishes or affects—

(1) any water right of an Indian Tribe;

(2) any other right of an Indian Tribe, except as specifically provided in another provision of this title;

(3) any treaty right that is in effect on the date of enactment of this Act;

(4) any external boundary of an Indian reservation of an Indian Tribe;

(5) any authority of the State of South Dakota that relates to the protection, regulation, or management of fish, terrestrial wildlife, and cultural and archaeological resources, except as specifically provided in this title; or

(6) any authority of the Secretary, the Secretary of the Interior, or the head of any other Federal agency under a law in effect on the date of enactment of this Act, including—

(A) the National Historic Preservation Act (16 U.S.C. 470 et seq.);

(B) the Archaeological Resources Protection Act of 1979 (16 U.S.C. 470aa et seq.);

(C) the Fish and Wildlife Coordination Act (16 U.S.C. 661 et seq.);

(D) the Act entitled ''An Act for the protection of the bald eagle'', approved June 8, 1940 (16 U.S.C. 668 et seq.);

(E) the Migratory Bird Treaty Act (16 U.S.C. 703 et seq.);

(F) the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.);

(G) the Native American Graves Protection and Repatriation Act (25 U.S.C. 3001 et seq.);

(H) the Federal Water Pollution Control Act (commonly known as the ''Clean Water Act'') (33 U.S.C. 1251 et seq.);

(I) the Safe Drinking Water Act (42 U.S.C. 300f et seq.); and

(J) the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

(b) FEDERAL LIABILITY FOR DAMAGE.—Nothing in this title relieves the Federal Government of liability for damage to private property caused by the operation of the Pick-Sloan Missouri River Basin program.

(c) FLOOD CONTROL.—Notwithstanding any other provision of this title, the Secretary shall retain the authority to operate the Pick-Sloan Missouri River Basin program for purposes of meeting the requirements of the Act of December 22, 1944 (58 Stat. 887, chapter 665; 33 U.S.C. 701–1 et seq.).

SEC. 608. STUDY.

(a) IN GENERAL.—The Secretary shall arrange for the United States Geological Survey, in consultation with the Bureau of Indian Affairs and other appropriate Federal agencies, to complete, not later than October 31, 1999, a comprehensive study of the potential impacts of the transfer of land under sections 605(b) and 606(b), including potential impacts on South Dakota Sioux Tribes having water claims within the Missouri River Basin, on water flows in the Missouri River.

(b) NO TRANSFER PENDING DETERMINATION.—No transfer of land under section 605(b) or 606(b) shall occur until the Secretary determines, based on the study, that the transfer of land under either section will not significantly reduce the amount of water flow to the downstream States of the Missouri River.

(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.

SEC. 609. AUTHORIZATION OF APPROPRIATIONS.

(a) SECRETARY.—There are authorized to be appropriated to the Secretary such sums as are necessary—

(1) to pay the administrative expenses incurred by the Secretary in carrying out this title;

(2) to fund the implementation of terrestrial wildlife habitat restoration plans under section 602(a) and other activities under sections 603(d)(3) and 604(d)(3); and

(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.

(b) SECRETARY OF THE INTERIOR.—There are authorized to be appropriated to the Secretary of the Interior such sums as are necessary to pay the administrative expenses incurred by the Secretary of the Interior in carrying out this title.

And the House agree to the same.

BUD SHUSTER,
DON YOUNG,
SHERWOOD BOEHLERT,
RICHARD H. BAKER,
JOHN T. DOOLITTLE,
DON SHERWOOD,
JAMES L. OBERSTAR,
ROBERT A. BORSKI,
ELLEN TAUSCHER,
BRIAN BAIRD,
Managers on the Part of the House.

JOHN H. CHAFEE,
JOHN WARNER,
BOB SMITH,
GEORGE V. VOINOVICH,
MAX BAUCUS,
DANIEL MOYNIHAN,
Managers on the Part of the Senate.

JOINT EXPLANATORY STATEMENT OF THE COMMITTEE OF CONFERENCE

The Managers on the part of the House and Senate at the conference on the disagreeing votes of the two Houses on the amendment of the House 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 other purposes, submit the following joint statement to the House and Senate in explanation of the effect of the action agreed upon by the managers and recommended in the accompanying conference report:

The House amendment struck all of the Senate bill after the enacting clause and inserted a substitute text.

The Senate recedes from its disagreement to the amendment of the House with an amendment that is a substitute for the Senate bill and the House amendment. The differences between the Senate bill, the House amendment, and the substitute agreed to in conference are noted below, except for clerical corrections, conforming changes made necessary by agreements reached by the conferees, and minor drafting and clerical changes.

TITLE I—WATER RESOURCES PROJECTS

SECTION 101. PROJECT AUTHORIZATIONS.

101(a) Projects with Chief's Reports

101(a)(1) Nome Harbor Improvements, Alaska. House §101(b)(1), Senate §101(b)(1).—Senate recedes with an amendment.

101(a)(2) Sand Point Harbor, Alaska. House §101(a)(1), Senate §101(a)(1).—Senate recedes.

101(a)(3) Seward Harbor, Alaska. House §101(b)(2), Senate §101(b)(2).—Senate recedes with an amendment.

101(a)(4) Rio Salado, Salt River, Phoenix and Tempe, Arizona. House §101(a)(2), Senate §101(a)(2).—Senate recedes.

101(a)(5) Tucson Drainage Area, Arizona. House §101(a)(3), Senate §101(a)(3).—House recedes.

101(a)(6) American and Sacramento Rivers, California. House §101(a)(4), Senate §101(a)(4).—Senate recedes with an amendment.

101(a)(7) Oakland Harbor, California. House §101(a)(5), Senate §101(b)(5).—Senate recedes.

101(a)(8) South Sacramento County Streams, California. House §101(a)(6), Senate §101(a)(6).—Senate recedes.

101(a)(9) Upper Guadalupe River, California. House §101(a)(7), Senate §101(a)(7).—House recedes.

101(a)(10) Yuba River Basin, California. House §101(a)(8), Senate §101(a)(8).—Senate recedes.

101(a)(11) Delaware Bay Coastline, Delaware and New Jersey-Broadkill Beach, Delaware. House §101(a)(9), Senate §101(a)(9).—Senate recedes.

101(a)(12) Delaware Bay Coastline, Delaware and New Jersey - Port Mahon, Delaware. House §101(a)(10), Senate §101(a)(10).—Senate recedes.

101(a)(13) Delaware Bay Coastline, Delaware and New Jersey-Roosevelt Inlet-Lewes Beach, Delaware. House §101(a)(11), Senate §101(b)(7).—Senate recedes.

101(a)(14) Delaware Bay Coastline, Delaware and New Jersey: Villas and Vicinity, New Jersey. House §101(a)(12), Senate §101(b)(16).—Senate recedes.

101(a)(15) Delaware Coast from Cape Henelopen to Fenwick Island, Bethany Beach/South Bethany Beach, Delaware. House §101(a)(13), Senate §101(b)(8).—Senate recedes.

101(a)(16) Hillsboro and Okeechobee Aquifer, Florida. Senate §101(a)(11). No comparable House section.—House recedes.

101(a)(17) Jacksonville Harbor, Florida. House §101(a)(14), Senate §101(b)(9).—House recedes.

The conferees understand the Report of the Chief of Engineers for the navigation project at Jacksonville Harbor, Florida, recognizes that a re-evaluation of the project based on a potential change in the commercial navigation fleet could result in redesignation of the locally preferred plan as the National Economic Development Plan. Furthermore, if the locally preferred plan is redesignated as the National Economic Development Plan, cost sharing for the recommended plan shall be in accordance with section 101 of the Water Development Act of 1986.

101(a)(18) Tampa Harbor-Big Bend Channel, Florida. House §101(a)(15), Senate §101(a)(14).—House recedes.

101(a)(19) Brunswick Harbor, Georgia. House §101(a)(16), Senate §101(a)(15).—Senate recedes.

101(a)(20) Beargrass Creek, Kentucky. House §101(a)(17), Senate §101(a)(16).—Senate recedes.

101(a)(21) Amite River and Tributaries, Louisiana, East Baton Rouge Parish Watershed. House §101(a)(18), Senate §101(a)(17).—House recedes.

101(a)(22) Baltimore Harbor Anchorages and Channels, Maryland and Virginia. House §101(a)(19), Senate §101(a)(18).—House recedes.

101(a)(23) Red River Lake at Crookston, Minnesota. House §101(a)(20), Senate §101(a)(19).—Senate recedes.

101(a)(24) Turkey Creek Basin, Kansas City, Missouri, and Kansas City, Kansas. House §101(a)(21), Senate §101(b)(13).—Senate recedes.

101(a)(25) Lower Cape May Meadows, Cape May Point, New Jersey. House §101(a)(22), Senate §101(b)(17).—House recedes with an amendment.

101(a)(26) Townsends Inlet to Cape May Inlet, New Jersey. House §101(a)(23), Senate §101(a)(20).—House recedes with an amendment.

101(a)(27) Guanajibo River, Puerto Rico. House §101(a)(24). No comparable Senate section.—Senate recedes.

101(a)(28) Rio Grande de Manati, Barceloneta, Puerto Rico. House §101(a)(25). No comparable Senate section.—Senate recedes.

101(a)(29) Rio Nigua at Salinas, Puerto Rico. House §101(a)(26). No comparable Senate section.—Senate recedes.

101(a)(30) Salt Creek, Graham, Texas. House §101(a)(27), Senate §101(a)(22).—Senate recedes.

101(b) Projects subject to report

The conference report includes project authorizations for which the Chief of Engineers has not yet completed a final report, but for which such reports are anticipated by December 31, 1999. These projects have been included in order to assure that projects anticipated to satisfy the necessary technical documentation by December 31, 1999 are not delayed in each case that the final reports can be completed by the end of 1999.

101(b)(1) Heritage Harbor, Wrangell, Alaska. No comparable House or Senate section.

101(b)(2) Arroyo Pasajero, California. House §518(1), Senate §101(b)(3).—House recedes.

The conferees understand that there may be potentially significant impacts on endangered species and state ecological reserve lands. Consequently, the conferees believe that a full range of reasonable alternatives should be considered.

101(b)(3) Hamilton Airfield, California. House §101(b)(3), Senate §101(b)(4).—House recedes.

In the Water Resources Development Act of 1996, Congress provided that publicly or privately owned upland sites may be considered for dredged material disposal. The Secretary should consider developing a management plan that addresses the equitable distribution of the dredged material in the San Francisco Bay area to various upland sites in cases where dredged material from Corps of Engineers construction or maintenance dredging is available for beneficial use or other upland disposal methods. In comparing the costs and benefits of public and private disposal options, the Secretary shall consider all costs and benefits, including all publicly funded costs, to ensure that an objective and equitable comparison of private and public facilities occurs.

101(b)(4) Success Dam, Tule River Basin, California. House §518(2), Senate §101(b)(6).—House recedes with an amendment.

101(b)(5) Delaware Bay Coastline, Delaware and New Jersey: Oakwood Beach, New Jersey. House §101(b)(4), Senate §101(b)(14).—House recedes with an amendment.

101(b)(6) Delaware Bay Coastline, Delaware and New Jersey: Reeds Beach and Pierces Point, New Jersey. House §101(b)(5), Senate §101(b)(15).—Senate recedes.

101(b)(7) Little Talbot Island, Duval County, Florida. House §101(b)(6), Senate §101(b)(10).—Senate recedes.

101(b)(8) Ponce de Leon Inlet, Florida. House §101(b)(7), Senate §101(b)(11).—Senate recedes.

101(b)(9) Savannah Harbor Expansion, Georgia. House §101(b)(8), Senate §101(b)(12).—Senate recedes.

101(b)(10) Des Plaines River, Illinois. House §101(b)(9). No comparable Senate section.—Senate recedes with an amendment.

101(b)(11) Reelfoot Lake, Kentucky and Tennessee. No comparable House or Senate section.

101(b)(12) Brigantine Inlet to Great Egg Harbor, Brigantine Island, New Jersey. House

§101(b)(10), Senate §101(b)(18).—Senate recedes with an amendment.

101(b)(13) Columbia River Channel, Oregon and Washington. House §101(b)(11), Senate §101(b)(19).—Senate recedes.

101(b)(14) Johnson Creek, Arlington, Texas. House §101(b)(12), Senate §101(b)(21).—Senate recedes.

101(b)(15) Howard Hanson Dam, Washington. House §101(b)(13), Senate §101(b)(22).—House recedes.

The managers recognize that the cost sharing for the Howard Hanson Dam project could appropriately be affected by the recent listing of the Puget Sound Chinook Salmon as a protected species under the Endangered Species Act. The United States Department of Commerce, National Marine Fisheries Service, has stated its intent to consult with both the Army Corps of Engineers and the City of Tacoma concerning responsibilities under the Endangered Species Act as it relates to the Howard Hanson Dam project and the City of Tacoma water diversion project. One of the purposes of the project being authorized is to develop a fish passage for downstream migration of salmon. When this consultation process is completed, the appropriate cost sharing allocation for the project may be different from that stated in the report of the Chief of Engineers. Therefore, it is the understanding of the managers that the Secretary, after consultation with the Secretary of Commerce, will, if appropriate, revise the allocation of cost sharing found in the final report of the Chief of Engineers to reflect the responsibilities under the Endangered Species Act for the protection of the threatened Puget Sound Chinook Salmon.

SEC. 102. SMALL FLOOD CONTROL PROJECTS

102(a)(1) Eyak River, Cordova, Alaska. Senate §322. No comparable House section.—House recedes.

102(a)(2) Salcha River and Piledriver Slough, Fairbanks, Alaska. Senate §321. No comparable House section.—House recedes.

102(a)(3) Lancaster, California. House §102(a)(1). No comparable Senate Section.—Senate recedes.

102(a)(4) Magpie Creek. California. No comparable House or Senate section.

102(a)(5) Gateway Triangle Area, Collier County, Florida. House §102(a)(2), Senate §104(1).—Senate recedes.

102(a)(6) Plant City, Florida. House §102(a)(3), Senate §104(m).—Senate recedes.

102(a)(7) Stone Island, Lake Monroe, Florida. House §102(a)(4). No comparable Senate section.—Senate recedes.

102(a)(8) Ohio River, Illinois. House §102(a)(5). No comparable Senate section.—Senate recedes.

102(a)(9) Hamilton Dam, Michigan. Senate §327. No comparable House section.—House recedes.

102(a)(10) Repaupo Creek, New Jersey. House §102(a)(6), Senate §303(2).—Senate recedes with an amendment.

102(a)(11) Irondequoit Creek, New York. Senate §303(3). No comparable House section.—House recedes.

102(a)(12) Owasco Lake Seawall, New York. House §102(7). No comparable Senate section.—Senate recedes.

102(a)(13) Port Clinton, Ohio. House §102(a)(8). No comparable Senate section.—Senate recedes.

102(a)(14) Abington Township, Pennsylvania. House §102(a)(10). No comparable Senate section.—Senate recedes.

102(a)(15) Port Indian, West Norriton Township, Montgomery County, Pennsylvania. House §102(a)(11). No comparable Senate section.—Senate recedes.

102(a)(16) Port Providence, Upper Providence Township, Pennsylvania. House

§102(a)(12). No comparable Senate section.—Senate recedes.

102(a)(17) Springfield Township, Montgomery County, Pennsylvania. House

§102(a)(13). No comparable Senate section.—Senate recedes.

102(a)(18) Tawney Run Creek, Pennsylvania. No comparable House or Senate section.

102(a)(19) Wissahickon Watershed, Pennsylvania. No comparable House or Senate section.

102(a)(20) Tioga County, Pennsylvania. Senate §303(3). No comparable House section.—House recedes.

102(a)(21) First Creek, Knoxville, Tennessee. House §102(a)14. No comparable Senate section.—Senate recedes.

102(a)(22) Metro Center Levee, Cumberland River, Nashville, Tennessee. House §102(a)15). No comparable Senate section.—Senate recedes.

102(b) Festus and Crystal City, Missouri. House §102(b). No comparable Senate section.—Senate recedes with an amendment.

102(b) Subsection (b) provides that the maximum Federal expenditure for the Festus and Crystal City, Missouri flood control project shall be $10,000,000 and directs the Secretary to make corresponding changes to the project cooperation agreement. Nothing in this subsection affects any applicable cost sharing requirements under the Water Resources Development Act of 1986.

SEC. 103. SMALL BANK STABILIZATION PROJECTS

103(a)(1) Arctic Ocean, Barrow, Alaska. Senate §305(a). No comparable House section.—House recedes.

103(a)(2) Saint Joseph River Indiana. House §103(1). No comparable Senate section.—Senate recedes.

103(a)(3) Saginaw River, Bay City, Michigan. House §103(2), Senate §305(b).—Senate recedes.

103(a)(4) Big Timber Creek, New Jersey. House §103(3). No comparable Senate section.—Senate recedes.

103(a)(5) Lake Shore Road, Athol Springs, New York. House §103(4). No comparable Senate section.—Senate recedes.

103(a)(6) Marist College, Poughkeepsie, New York. House §101(5). No comparable Senate section.—Senate recedes.

103(a)(7) Monroe County, Ohio. House §103(6). No comparable Senate section.—Senate recedes.

103(a)(8) Green Valley, West Virginia. House §103(7). No comparable Senate section - Senate recedes.

103(b) Yellowstone River, Billings, Montana. Senate §305(c). No comparable House section.—House recedes.

SEC. 104. SMALL NAVIGATION PROJECTS

104(1) Grand Marais, Arkansas. House §104(1). No comparable Senate section.—Senate recedes.

104(2) Fields Landing Channel, Humboldt Harbor, California. House §104(2), Senate §104(e).—Senate recedes.

104(3) San Mateo (Pillar Point Harbor), California. House §104(3). No comparable Senate section.—Senate recedes.

104(4) Agana Marina, Guam. House §104(4), Senate §104(yy).—Senate recedes.

104(5) Agat Marina, Guam. House §104(5), Senate §104(vv).—Senate recedes.

104(6) Apra Harbor Fuel Piers, Guam. House §104(6), Senate §104(xx).—Senate recedes.

104(7) Apra Harbor Pier F-6, Guam. House §104(7). No comparable Senate section.—Senate recedes.

104(8) Apra Harbor Seawall, Guam. House §104(8), Senate §104(ww).—Senate recedes.

104(9) Guam Harbor, Guam. House §104(9). No comparable Senate section.—Senate recedes.

104(10) Illinois River Near Chautauqua Park, Illinois. House §104(10). No comparable Senate section.—Senate recedes.

104(11) Whiting Shoreline Waterfront, Whiting, Indiana. House §104(11). No comparable Senate section.—Senate recedes.

104(12) Union River, Ellsworth, Maine. House §104(13). No comparable Senate section.—Senate recedes.

104(13) Naraguagus River, Machias, Maine. House §104(12). No comparable Senate section.—Senate recedes.

104(14) Detroit Waterfront, Michigan. House §104(14). No comparable Senate section.—Senate recedes.

104(15) Fortescue Inlet, Delaware Bay, New Jersey. House §104(15), Senate §304(9).—Senate recedes.

104(16) Braddock Bay, Greece, New York. Senate §304(10). No comparable House section.—House recedes.

104(17) Buffalo and LaSalle Park, New York. House §104(16). No comparable Senate section.—Senate recedes.

104(18) Sturgeon Point, New York. House §104(17). No comparable Senate section.—Senate recedes.

104(19) Fairpoint Harbor, Ohio. House §104(18). No comparable Senate section.—Senate recedes.

SEC. 105. SMALL PROJECTS FOR IMPROVEMENT OF THE ENVIRONMENT

House §105(a). No comparable Senate section.—Senate recedes.

105(b) Pine Flat Dam, Kings River, California. House §105(b), Senate §332.—House recedes.

SEC. 106. SMALL AQUATIC ECOSYSTEM RESTORATION PROJECTS

106(1) Contra Costa County, Bay Delta, California. House §106(1). No comparable Senate section.—Senate recedes.

106(2) Indian River, Florida. House §106(2). No comparable Senate section.—Senate recedes.

106(3) Little Wekiva River, Florida. House §106(3). No comparable Senate section.—Senate recedes.

106(4) Cook County, Illinois. House §106(4). No comparable Senate section.—Senate recedes.

106(5) Grand Batture Island, Mississippi. House §106(5). No comparable Senate section.—Senate recedes.

106(6) Hancock, Harrison, and Jackson Counties, Mississippi. House §106(6). No comparable Senate section.—Senate recedes.

106(7) Mississippi River and River Des Peres, St. Louis, Missouri. House §106(7), Senate §201(e)(3).—Senate recedes.

106(8) Hudson River, New York. House §106(8). No comparable Senate section.—Senate recedes.

106(9) Oneida Lake, New York. House §106(9). No comparable Senate section.—Senate recedes.

106(10) Otsego Lake, New York. House §106(10). No comparable Senate section.—Senate recedes.

106(11) North Fork of Yellow Creek, Ohio. House §106(11). No comparable Senate section.—Senate recedes.

106(12) Wheeling Creek Watershed, Ohio. House §106(12). No comparable Senate section.—Senate recedes.

106(13) Springfield Millrace, Oregon. House §106(13), Senate §306.—Senate recedes.

106(14) Upper Amazon Creek, Oregon. House §106(14). No comparable Senate section.—Senate recedes.

106(15) Lake Ontelaunee Reservoir, Berks County, Pennsylvania. House §106(15). No comparable Senate section.—Senate recedes.

106(16) Blackstone River Basin, Rhode Island and Massachusetts. House §106(16). No comparable Senate section.—Senate recedes.

TITLE II—GENERAL PROVISIONS

SEC. 201. SMALL FLOOD CONTROL AUTHORITY.

House §201, Senate §203.—House recedes.

SEC. 202. USE OF NON-FEDERAL FUNDS FOR COMPILING AND DISSEMINATING INFORMATION ON FLOODS AND FLOOD DAMAGES

House §202, Senate §204.—House recedes.

SEC. 203. CONTRIBUTIONS BY STATES AND POLITICAL SUBDIVISIONS

House §203, Senate §207.—House recedes.

SEC. 204. SEDIMENT DECONTAMINATION TECHNOLOGY

House §204, Senate §218.—Senate recedes.

SEC. 205. CONTROL OF AQUATIC PLANTS

House §205, Senate §214.—Senate recedes with an amendment.

SEC. 206. USE OF CONTINUING CONTRACTS REQUIRED FOR CONSTRUCTION OF CERTAIN PROJECTS

House §206. No comparable Senate section.—Senate recedes with an amendment.

SEC. 207. WATER RESOURCES DEVELOPMENT STUDIES FOR THE PACIFIC REGION

House §208, Senate §209.—Senate recedes.

SEC. 208. EVERGLADES AND SOUTH FLORIDA ECOSYSTEM RESTORATION

House §209, Senate §331, Senate §102(k) and Senate §309.—Senate recedes to the House with an amendment to subsections (a) and (b) and a new subsection (d).

SEC. 209. BENEFICIAL USES OF DREDGED MATERIAL

House §210, Senate §206.—Senate recedes with an amendment.

SEC. 210. AQUATIC ECOSYSTEM RESTORATION

House §212, Senate §205.—Senate recedes with an amendment.

SEC. 211. WATERSHED MANAGEMENT, RESTORATION, AND DEVELOPMENT

House §213, Senate §216.—House recedes with amendments at subsections (1) and (3).

Under this section, the managers support providing technical assistance to the non-Federal interests in the communities of Springfield and Decatur, Illinois in the Illinois River Watershed for the purpose of identifying high nitrate levels in water supplies and assisting with methods for reducing such levels.

SEC. 212. FLOOD MITIGATION AND RIVERINE RESTORATION PILOT PROGRAM

House §214, Senate §201.—Senate recedes to the House with amendments at subsections (b)(e)(g) and (h).

SEC. 213. SHORE MANAGEMENT PROGRAM

House §215. No comparable Senate section.—Senate recedes with an amendment.

SEC. 214. SHORE DAMAGE PREVENTION OR MITIGATION

House §217, Senate §228.—House recedes with amendment.

SEC. 215. SHORE PROTECTION

House §218(a), Senate §202.—House recedes with an amendment.

House §218(b), Senate §211(a).—Senate recedes.

Senate §211(b). No comparable House section.—House recedes.

House §218(c). No comparable Senate section.—Senate recedes with an amendment.

House §218(d). No comparable Senate section.—Senate recedes.

SEC. 216. FLOOD PREVENTION COORDINATION

House §219. No comparable Senate section.—Senate recedes.

SEC. 217. DISPOSAL OF DREDGED MATERIAL ON BEACHES

Senate §219. No comparable House section.—House recedes with an amendment.

SEC. 218. ANNUAL PASSES FOR RECREATION

House §220. No comparable Senate section.—Senate recedes.

SEC. 219. NONSTRUCTURAL FLOOD CONTROL PROJECTS

House §222, Senate §213.—Senate recedes.

SEC. 220. LAKES PROGRAM

House §223, Senate §217.—Senate recedes with an amendment.

SEC. 221. ENHANCEMENT OF FISH AND WILDLIFE RESOURCES

House §225, Senate §220.—Senate recedes.

SEC. 222. PURCHASE OF AMERICAN-MADE EQUIPMENT AND PRODUCTS

House §226. No comparable Senate section.—Senate recedes.

SEC. 223. CONSTRUCTION OF FLOOD CONTROL PROJECTS BY NON-FEDERAL INTEREST

House §224, Senate §221.—Senate recedes with amendments.

SEC. 224. ENVIRONMENTAL DREDGING

House §228, Senate §212.—Senate recedes with an amendment.

SEC. 225. RECREATIONAL USER FEES

Senate §208. No comparable House section.—House recedes.

SEC. 226. SMALL STORM DAMAGE REDUCTION PROJECTS

Senate §227. No comparable House section.—House recedes.

SEC. 227. USE OF PRIVATE ENTERPRISES

Senate §232. No comparable House section.—House recedes with an amendment.

TITLE III—PROJECT RELATED PROVISIONS

SEC. 301. TENNESSEE-TOMBIGBEE WATERWAY WILDLIFE MITIGATION, ALABAMA AND MISSISSIPPI

No comparable House or Senate section.

SEC. 302. OUZINKIE HARBOR, ALASKA

House §302. No comparable Senate section.—Senate recedes to House with an amendment.

SEC. 303. ST. PAUL HARBOR, ST. PAUL, ALASKA

No comparable House or Senate section.

SEC. 304. LOGGY BAYOU, RED RIVER BELOW DENISON DAM, ARKANSAS, LOUISIANA, OKLAHOMA, AND TEXAS

House §305. No comparable Senate section.—Senate recedes to House with an amendment.

SEC. 305. SACRAMENTO RIVER, GLENN-COLUSA, CALIFORNIA

House §306. No comparable Senate section.—Senate recedes with an amendment.

SEC. 306. SAN LORENZO RIVER, CALIFORNIA

House §307, Senate §102(a)(1).—House recedes with an amendment.

SEC. 307. TERMINUS DAM, KAWEAH RIVER, CALIFORNIA

House §308. No comparable Senate section.—Senate recedes with an amendment.

SEC. 308. DELAWARE RIVER, MAINSTEM AND CHANNEL DEEPENING, DELAWARE, NEW JERSEY, AND PENNSYLVANIA

House §309. No comparable Senate section.—Senate recedes.

SEC. 309. POTOMAC RIVER, WASHINGTON, DISTRICT OF COLUMBIA

House §310. No comparable Senate section.—Senate recedes with an amendment.

SEC. 310. BREVARD COUNTY, FLORIDA

House §311. No comparable Senate section.—Senate recedes with an amendment.

SEC. 311. BROWARD COUNTY AND HILLSBORO INLET, FLORIDA

House §312. No comparable Senate section.—Senate recedes.

SEC. 312. LEE COUNTY, CAPTIVA ISLAND SEGMENT, FLORIDA, PERIODIC BEACH NOURISHMENT

House §227(a), Senate §102(u).—House recedes.

SEC. 313. FORT PIERCE, FLORIDA

House §313, Senate §102(b)(1).—Senate recedes with an amendment.

SEC. 314. NASSAU COUNTY, FLORIDA

House §314. No comparable Senate section.—Senate recedes with an amendment.

SEC. 315. MIAMI HARBOR CHANNEL, FLORIDA

House §315. No comparable Senate section.—Senate recedes with an amendment.

SEC. 316. ST. AUGUSTINE, FLORIDA

House §363(d), Senate §102(a)(2).—Senate recedes.

SEC. 317. MILO CREEK, IDAHO

No comparable House or Senate section.

SEC. 318. LAKE MICHIGAN, ILLINOIS

House §316, Senate §102(l).—House recedes.

SEC. 319. SPRINGFIELD, ILLINOIS

House §317. No comparable Senate section.—Senate recedes.

SEC. 320. OGDEN DUNES, INDIANA

House §319. No comparable Senate section.—Senate recedes with an amendment.

SEC. 321. SAINT JOSEPH RIVER, SOUTH BEND, INDIANA

House §320. No comparable Senate section.—Senate recedes.

SEC. 322. WHITE RIVER, INDIANA

House §321, Senate §102(s).—House recedes.

SEC. 323. DUBUQUE, IOWA

Senate §102(n). No comparable House section.—House recedes.

SEC. 324. LAKE PONTCHARTRAIN, LOUISIANA

House §322, Senate §104(y).—Senate recedes with an amendment.

SEC. 325. LAROSE TO GOLDEN MEADOW, LOUISIANA

House §323, Senate §104(w).—Senate recedes with an amendment.

SEC. 326. LOUISIANA STATE PENITENTIARY LEVEE, LOUSIANA

House §324, Senate §102(o).—House recedes.

SEC. 327. TWELVE-MILE BAYOU, CADDO PARISH, LOUISIANA

House §325, Senate §104(a).—Senate recedes with an amendment.

SEC. 328. WEST BANK OF THE MISSISSIPPI RIVER (EAST OF HARVEY CANAL) LOUISIANA

House §326. No comparable Senate section.—Senate recedes with an amendment.

SEC. 329. TOLCHESTER CHANNEL S-TURN, BALTIMORE, MARYLAND

House §327, Senate §102(d).—House recedes.

SEC. 330. SAULT SAINTE MARIE, CHIPPEWA COUNTY, MICHIGAN

House §328. No comparable Senate section.—Senate recedes.

SEC. 331. JACKSON COUNTY, MISSISSIPPI

House §329, Senate §102(p).—House recedes.

SEC. 332. BOIS BRULE DRAINAGE AND LEVEE DISTRICT, MISSOURI

House §331. No comparable Senate section.—Senate recedes.

SEC. 333. MERAMEC RIVER BASIN, VALLEY PARK LEVEE, MISSOURI

House §332. No comparable Senate section.—Senate recedes.

SEC. 334. MISSOURI RIVER MITIGATION PROJECT, MISSOURI, KANSAS, IOWA, AND NEBRASKA

House §333. No comparable Senate section.—Senate recedes.

SEC. 335. WOOD RIVER, GRAND ISLAND, NEBRASKA

House §334, Senate §102(a)(3).—Senate recedes.

SEC. 336. ABSECON ISLAND, NEW JERSEY

House §335, Senate §102(a)(4).—Senate recedes.

SEC. 337. NEW YORK HARBOR AND ADJACENT CHANNELS, PORT JERSEY, NEW JERSEY

House §336, Senate §102(b)(4).—Senate recedes with an amendment.

SEC. 338. ARTHUR KILL, NEW YORK AND NEW JERSEY

House §339, Senate §102(a)(5).—House recedes with an amendment.

SEC. 339. KILL VAN KULL AND NEWARK BAY CHANNELS, NEW YORK AND NEW JERSEY

No comparable House or Senate section.

SEC. 340. NEW YORK CITY WATERSHED

House §340, Senate §325.—Senate recedes with an amendment.

SEC. 341. NEW YORK STATE CANAL SYSTEM

House §341. No comparable Senate section.—Senate recedes.

SEC. 342. FIRE ISLAND INLET TO MONTAUK POINT, NEW YORK

House §342. No comparable Senate section.—Senate recedes with an amendment.

SEC. 343. BROKEN BOW LAKE, RED RIVER BASIN, OKLAHOMA

House §343. No comparable Senate section.—Senate recedes.

SEC. 344. WILLAMETTE RIVER TEMPERATURE CONTROL, MCKENZIE SUBBASIN, OREGON

House §344, Senate §102(b)(5).—Senate recedes with an amendment.

SEC. 345. CURWENSVILLE LAKE, PENNSYLVANIA

House §346. No comparable Senate section.—Senate recedes with an amendment.

SEC. 346. DELAWARE RIVER, PENNSYLVANIA AND DELAWARE

House §347. No comparable Senate section.—Senate recedes with an amendment.

SEC. 347. MUSSERS DAM, PENNSYLVANIA

House §348. No comparable Senate section.—Senate recedes.

SEC. 348. PHILADELPHIA, PENNSYLVANIA

No comparable House or Senate section.

SEC. 349. NINE-MILE RUN, ALLEGHENY COUNTY, PENNSYLVANIA

House §349, Senate §316.—House recedes.

SEC. 350. RAYSTOWN LAKE, PENNSYLVANIA

House §350. No comparable Senate section.—Senate recedes with an amendment.

SEC. 351. SOUTH CENTRAL, PENNSYLVANIA

House §351. No comparable Senate section.—Senate recedes.

SEC. 352. FOXPOINT HURRICANE BARRIER, PROVIDENCE, RHODE ISLAND

Senate §102(t). No comparable House section.—House recedes.

SEC. 353. COOPER RIVER, CHARLESTON HARBOR, SOUTH CAROLINA

House §352, Senate §102(f).—House recedes.

SEC. 354. CLEAR CREEK, TEXAS

House §354. No comparable Senate section.—Senate recedes with an amendment.

SEC. 355. CYPRESS CREEK, TEXAS

House §355. No comparable Senate section.—Senate recedes.

SEC. 356. DALLAS FLOODWAY EXTENSION, DALLAS, TEXAS

House §356, Senate §102(g).—Senate recedes.

SEC. 357. UPPER JORDAN RIVER, UTAH

House §357. No comparable Senate section.—Senate recedes with an amendment.

SEC. 358. ELIZABETH RIVER, CHESAPEAKE, VIRGINIA

House §358, Senate §102(i).—House recedes.

SEC. 359. COLUMBIA RIVER CHANNEL, WASHINGTON AND OREGON

Senate §102(v). No comparable House section.—House recedes.

SEC. 360. GREENBRIER BASIN, WEST VIRGINIA

House §360. No comparable Senate section.—Senate recedes with an amendment.

SEC. 361. BLUESTONE LAKE, OHIO RIVER BASIN, WEST VIRGINIA

House §359. No comparable Senate section.—Senate recedes.

SEC. 362. MOOREFIELD, WEST VIRGINIA

House §361, Senate §102(j).—Senate recedes.

SEC. 363. WEST VIRGINIA AND PENNSYLVANIA FLOOD CONTROL

House §362. No comparable Senate section.—Senate recedes.

SEC. 364. PROJECT REAUTHORIZATIONS

House §363(b), (c), (e), (f), (g) and (h), Senate §101(a)(12), (13), (21) and (b)(20).—Senate recedes with an amendment.

SEC. 365. PROJECT DEAUTHORIZATIONS

House §364(a)(1), (2), (3), (4), (5), (6), (7), (8), (9), (10), (11), (12), (b), (c), Senate §103(a), (b), (c), (d), (e), (f), and 102(b)(3).—Senate recedes with an amendment.

SEC. 366. AMERICAN AND SACRAMENTO RIVERS, CALIFORNIA

House §365. No comparable Senate section.—Senate recedes.

SEC. 367. MARTIN, KENTUCKY

House §366. No comparable Senate section.—Senate recedes.

SEC. 368. SOUTHERN WEST VIRGINIA PILOT PROGRAM

House §367. No comparable Senate section.—Senate recedes.

SEC. 369. BLACK WARRIOR AND TOMBIGBEE RIVERS, JACKSON, ALABAMA

House §368. No comparable Senate section.—Senate recedes with an amendment.

SEC. 370. TROPICANA WASH AND FLAMINGO WASH, NEVADA

House §369, Senate §102(e).—House recedes.

SEC. 371. COMITE RIVER, LOUISIANA

House §370. No comparable Senate section.—Senate recedes.

SEC. 372. ST. MARYS RIVER, MICHIGAN

House §371. No comparable Senate section.—Senate recedes.

SEC. 373. CHARLEVOIX, MICHIGAN

House §372, Senate §326.—House recedes.

SEC. 374. WHITE RIVER BASIN, ARKANSAS AND MISSOURI

Senate §104(d). No comparable House section.—House recedes with an amendment.

SEC. 375. WAURIKA LAKE, OKLAHOMA, WATER CONVEYANCE FACILITIES

House §555, Senate §102(a)(6).—Senate recedes with an amendment.

TITLE IV—STUDIES

SEC. 401. DEEP DRAFT HARBOR COST SHARING

House §211. No comparable Senate section.—House recedes with an amendment.

SEC. 402. BOYDSVILLE, ARKANSAS

Senate §104(b). No comparable House section.—House recedes.

SEC. 403. GREERS FERRY LAKE, ARKANSAS

House §303. No comparable Senate section.—Senate recedes with an amendment.

SEC. 404. DEL NORTE COUNTY, CALIFORNIA

House §428. No comparable Senate section.—Senate recedes.

SEC. 405. FRAZIER CREEK, TULARE COUNTY, CALIFORNIA

Senate §104(f). No comparable House section.—House recedes.

SEC. 406. MARE ISLAND STRAIT, CALIFORNIA

No comparable House or Senate section.

SEC. 407. STRAWBERRY CREEK, BERKELEY, CALIFORNIA

Senate §104(g). No comparable House section.—House recedes.

SEC. 408. SWEETWATER RESERVOIR, SAN DIEGO COUNTY, CALIFORNIA

House §404. No comparable Senate section.—Senate recedes.

SEC. 409. WHITEWATER RIVER BASIN, CALIFORNIA

House §405. No comparable Senate section.—Senate recedes with an amendment.

SEC. 410. DESTIN-NORIEGA POINT, FLORIDA

Senate §104(k). No comparable House section.—House recedes.

SEC. 411. LITTLE ECONLACKHATCHEE RIVER BASIN, FLORIDA

House §406. No comparable Senate section.—Senate recedes.

SEC. 412. PORT EVERGLADES INLET, FLORIDA

House §407, Senate §104(j).—Senate recedes with an amendment.

SEC. 413. LAKE ALLATOONA, ETOWAH RIVER, AND LITTLE RIVER WATERSHED, GEORGIA

House §533. No comparable Senate section.—Senate recedes with an amendment.

SEC. 414. BOISE, IDAHO

Senate §104(n). No comparable House section.—House recedes.

SEC. 415. GOOSE CREEK WATERSHED, OAKLEY, IDAHO

Senate §104(o). No comparable House section.—House recedes.

SEC. 416. LITTLE WOOD RIVER, GOODLING, IDAHO

Senate §104(p). No comparable House section.—House recedes.

SEC. 417. SNAKE RIVER, LEWISTON, IDAHO

Senate §104(q). No comparable House section.—House recedes.

SEC. 418. SNAKE RIVER AND PAYETTE RIVER, IDAHO

Senate §104(r). No comparable House Section.—House recedes.

SEC. 419. UPPER DES PLAINES RIVER AND TRIBUTARIES, ILLINOIS AND WISCONSIN

House §408. No comparable Senate section.—Senate recedes with an amendment.

SEC. 420. CAMERON PARISH WEST OF CALCASIEU RIVER, LOUISIANA

House §409, Senate §104(t).—House recedes.

SEC. 421. COASTAL LOUISIANA

Senate §104(u). No comparable House section.—House recedes with an amendment.

SEC. 422. GRAND ISLE AND VICINITY, LOUISIANA

House §410. No comparable Senate section.—Senate recedes.

SEC. 423. GULF INTRACOASTAL WATERWAY ECOSYSTEM, CHEF MENTEUR TO SABINE RIVER, LOUISIANA

Senate §104(x). No comparable House section.—House recedes.

SEC. 424. MUDDY RIVER, BROOKLINE AND BOSTON, MASSACHUSETTS

Senate §104(aa). No comparable House section Section recedes with an amendment.

SEC. 425. WESTPORT, MASSACHUSETTS

House §412. No comparable Senate section.—Senate recedes with an amendment.

SEC. 426. ST. CLAIR RIVER AND LAKE ST. CLAIR, MICHIGAN

House §429. No comparable Senate section.—Senate recedes.

SEC. 427. ST. CLAIR SHORES, MICHIGAN

Senate §104(cc). No comparable House section.—House recedes.

SEC. 428. WOODTICK PENINSULA, MICHIGAN, AND TOLEDO HARBOR, OHIO

Senate §104(dd). No comparable House section.—House recedes.

SEC. 429. PASCAGOULA HARBOR, MISSISSIPPI

Senate §104(ee). No comparable House section.—House recedes.

SEC. 430. TUNICA LAKE, WEIR, MISSISSIPPI

House §330, Senate §104(ff).—House recedes.

SEC. 431. YELLOWSTONE RIVER, MONTANA

Senate §104(hh). No comparable House section.—House recedes.

SEC. 432. LAS VEGAS VALLEY, NEVADA

Senate §104(ii). No comparable House section.—House recedes with an amendment.

SEC. 433. SOUTHWEST VALLEY, ALBUQUERQUE, NEW MEXICO

House §413. No comparable Senate section.—Senate recedes.

SEC. 434. CAYUGA CREEK, NEW YORK

House §414. No comparable Senate section.—Senate recedes.

SEC. 435. LAKE CHAMPLAIN, NEW YORK AND VERMONT

No comparable House or Senate section.

SEC. 436. OSWEGO RIVER BASIN, NEW YORK

Senate §104(jj). No comparable House section.—House recedes.

SEC. 437. WHITE OAK RIVER, NORTH CAROLINA

House §552. No comparable House or Senate section.—Senate recedes with an amendment.

SEC. 438. ARCOLA CREEK WATERSHED, MADISON, OHIO

House §415. No comparable Senate section.—Senate recedes.

SEC. 439. CLEVELAND HARBOR, CLEVELAND, OHIO

Senate §104(ll). No comparable House section.—House recedes.

SEC. 440. TOUSSAINT RIVER, CARROLL TOWNSHIP, OHIO

House §553, Senate §104(nn).—House recedes.

SEC. 441. WESTERN LAKE ERIE BASIN, OHIO, INDIANA, AND MICHIGAN

House §416, Senate §225.—Senate recedes.

SEC. 442. SCHUYLKILL RIVER, NORRISTOWN, PENNSYLVANIA

House §417. No comparable Senate section.—Senate recedes with an amendment.

SEC. 443. SOUTH CAROLINA COASTAL AREAS

Senate §104(rr). No comparable House section.—House recedes.

SEC. 444. SANTEE DELTA FOCUS AREA, SOUTH CAROLINA

House §427, Senate §104(oo).—House recedes.

SEC. 445. WACCAMAW RIVER, SOUTH CAROLINA

Senate §104(pp). No comparable House section.—House recedes.

SEC. 446. DAY COUNTY, SOUTH DAKOTA

House §419. No comparable Senate section.—Senate recedes.

SEC. 447. NIOBRARA RIVER AND MISSOURI RIVER, SOUTH DAKOTA

Senate §104(ss). No comparable House section.—House recedes.

SEC. 448. CORPUS CHRISTI, TEXAS

House §420. No comparable Senate section.—Senate recedes.

SEC. 449. MITCHELL'S CUT CHANNEL (CANEY FORK CUT), TEXAS

House §421. No comparable Senate section.—Senate recedes.

SEC. 450. MOUTH OF THE COLORADO RIVER, TEXAS

House §422. No comparable Senate section.—Senate recedes.

SEC. 451. SANTA CLARA RIVER, UTAH

Senate §104(tt). No comparable House section.—House recedes.

SEC. 452. MOUNT ST. HELENS, WASHINGTON

Senate §104(uu). No comparable House section.—House recedes.

SEC. 453. KANAWHA RIVER, FAYETTE COUNTY, WEST VIRGINIA

House §423. No comparable Senate section.—Senate recedes.

SEC. 454. WEST VIRGINIA PORTS

House §424. No comparable Senate section.—Senate recedes.

SEC. 455. JOHN GLENN GREAT LAKES BASIN PROGRAM

House §425, Senate §223.—House recedes with an amendment.

SEC. 456. GREAT LAKES NAVIGATIONAL SYSTEM

Senate §104(aaa). No comparable House section.—House recedes.

SEC. 457. NUTRIENT LOADING RESULTING FROM DREDGED MATERIAL DISPOSAL

House §426. No comparable Senate section.—Senate recedes.

SEC. 458. UPPER MISSISSIPPI AND ILLINOIS RIVERS LEVEES AND STREAMBANKS PROTECTION

House §401. No comparable Senate section.—Senate recedes.–

SEC. 459. UPPER MISSISSIPPI RIVER COMPREHENSIVE PLAN

House §402, Senate §338.—House recedes with an amendment.

SEC. 460. SUSQUEHANNA RIVER AND UPPER CHESAPEAKE BAY

No comparable House or Senate section.

TITLE V—MISCELLANEOUS

SEC. 501. CORPS ASSUMPTION OF NRCS PROJECTS

501(a) Llagas Creek, California. House §501(a), Senate §101(a)(5).—Senate recedes.

501(b) Thornton Reservoir, Cook County, Illinois. House §501(b), Senate §102(b)(2).—House recedes.

SEC. 502. ENVIRONMENTAL INFRASTRUCTURE

House §502 and §517. No comparable Senate section.—Senate recedes with an amendment.

SEC. 503. CONTAMINATED SEDIMENT DREDGING TECHNOLOGY

House §503, Senate §230.—Senate recedes with an amendment.

SEC. 504. DAM SAFETY

House §504. No comparable Senate section.—Senate recedes with an amendment.

SEC. 505. GREAT LAKES REMEDIAL ACTION PLANS

House §505. No comparable Senate section.—Senate recedes.

SEC. 506. PROJECTS FOR THE IMPROVEMENT OF THE ENVIRONMENT

House §506, Senate §224.—House recedes.

SEC. 507. MAINTENANCE OF NAVIGATION CHANNELS

House §507, Senate §104(s) and §104(v).—Senate recedes with an amendment.

SEC. 508. MEASUREMENT OF LAKE MICHIGAN DIVERSIONS

House §508, Senate §102(m).—House recedes.

SEC. 509. UPPER MISSISSIPPI RIVER ENVIRONMENTAL MANAGEMENT PROGRAM

House §509, Senate §314.—House recedes with an amendment.

SEC. 510. ATLANTIC COAST OF NEW YORK MONITORING

House §510, Senate §229.—House recedes.

SEC. 511. WATER CONTROL MANAGEMENT

House §511. No comparable Senate section.—Senate recedes.

SEC. 512. BENEFICIAL USE OF DREDGED MATERIAL

House §512. No comparable Senate section.—Senate recedes.

SEC. 513. DESIGN AND CONSTRUCTION ASSISTANCE

House §513. No comparable Senate section.—Senate recedes.

SEC. 514. MISSOURI AND MIDDLE MISSISSIPPI RIVERS ENHANCEMENT PROJECT

House §514, Senate §210.—House recedes.

SEC. 515. IRRIGATION DIVERSION PROTECTION AND FISHERIES ENHANCEMENT ASSISTANCE

House §515, Senate §226.—House recedes with an amendment.

SEC. 516. INNOVATIVE TECHNOLOGIES FOR WATERSHED RESTORATION

House §516. No comparable Senate section.—Senate recedes with an amendment.

SEC. 517. EXPEDITED CONSIDERATION OF CERTAIN PROJECTS.

House §318, §518 and §574, Senate §307 and §313.—Senate recedes with an amendment.

SEC. 518. DOG RIVER, ALABAMA

House §519. No comparable Senate section.—Senate recedes with an amendment.

SEC. 519. LEVEES IN ELBA AND GENEVA, ALABAMA

House §520 and 521, Senate §333.—House recedes.

SEC. 520. NAVAJO RESERVATION, ARIZONA, NEW MEXICO, AND UTAH

House §522. No comparable Senate section.—Senate recedes.

SEC. 521. BEAVER LAKE, ARKANSAS

House §524, Senate §102(c).—House recedes.

SEC. 522. BEAVER LAKE TROUT PRODUCTION FACILITY, ARKANSAS

House §525. No comparable Senate section.—Senate recedes with an amendment.

SEC. 523. CHINO DAIRY PRESERVE, CALIFORNIA

House §526. No comparable Senate section.—Senate recedes with an amendment.

SEC. 524. ORANGE AND SAN DIEGO COUNTIES, CALIFORNIA

House §528. No comparable Senate section.—Senate recedes with an amendment.

SEC. 525. RUSH CREEK, NOVATO, CALIFORNIA

House §527. No comparable Senate section.—Senate recedes with an amendment.

SEC. 526. SANTA CRUZ HARBOR, CALIFORNIA

House §530. No comparable Senate section.—Senate recedes with an amendment.

SEC. 527. LOWER ST. JOHNS RIVER BASIN, FLORIDA

House §532. No comparable Senate section.—Senate recedes.

SEC. 528. MAYO'S BAR LOCK AND DAM, COOSA RIVER, ROME, GEORGIA

House §534. No comparable Senate section.—Senate recedes.

SEC. 529. COMPREHENSIVE FLOOD IMPACT RESPONSE MODELING SYSTEM, CORALVILLE RESERVOIR AND IOWA RIVER WATERSHED, IOWA

House §535, Senate §318.—House recedes with an amendment.

SEC. 530. ADDITIONAL CONSTRUCTION ASSISTANCE IN ILLINOIS

House §536. No comparable Senate section.—Senate recedes.

SEC. 531. KANOPOLIS LAKE, KANSAS

House §537, Senate §324.—House recedes with an amendment.

SEC. 532. SOUTHERN AND EASTERN KENTUCKY

House §538. No comparable Senate section.—Senate recedes with an amendment.

SEC. 533. SOUTHEAST LOUISIANA

House §539. No comparable Senate section.—Senate recedes with an amendment.

Because the Corps of Engineers has entered into project cooperation agreements (PCA's) with respect to the projects identified in the Southeast Louisiana Project Technical Reports, dated April 1996, May 1996, and May 1996, the conferees understand that these projects meet the requirements of section 533(d) of WRDA 1996. This determination could only be modified by a subsequent determination made by the Chief of Engineers at his sole discretion.

SEC. 534. SNUG HARBOR, MARYLAND

House §540. No comparable Senate section.—Senate recedes.

SEC. 535. WELCH POINT, ELK RIVER, CECIL COUNTY, AND CHESAPEAKE CITY, MARYLAND

House §541. No comparable Senate section.—Senate recedes.

SEC. 536. CAPE COD CANAL RAILROAD BRIDGE, BUZZARDS BAY, MASSACHUSETTS

House §544. No comparable Senate section.—Senate recedes.

SEC. 537. ST. LOUIS, MISSOURI

House §545. No comparable Senate section.—Senate recedes.

SEC. 538. BEAVER BRANCH OF BIG TIMBER CREEK, NEW JERSEY

House §546. No comparable Senate section.—Senate recedes.

SEC. 539. LAKE ONTARIO AND ST. LAWRENCE RIVER WATER LEVELS, NEW YORK

House §547. No comparable Senate section.—Senate recedes with an amendment.

SEC. 540. NEW YORK-NEW JERSEY HARBOR, NEW YORK AND NEW JERSEY

House §548. No comparable Senate section.—Senate recedes with an amendment.

SEC. 541. SEA GATE REACH, CONEY ISLAND, NEW YORK, NEW YORK

House §549. No comparable Senate section.—Senate recedes.

SEC. 542. WOODLAWN, NEW YORK

House §550. No comparable Senate section.—Senate recedes.

SEC. 543. FLOODPLAIN MAPPING, NEW YORK

House §551. No comparable Senate section.—Senate recedes with an amendment.

SEC. 544. TOUSSAINT RIVER, CARROLL TOWNSHIP, OTTAWA COUNTY, OHIO

House §553, Senate §104(nn).—Senate recedes.

SEC. 545. SARDIS RESERVOIR, OKLAHOMA

House §554, Senate §312.—Senate recedes.

The conferees understand the State of Oklahoma may use a portion of the savings from the buy-out to reduce the loan necessary to build a water distribution system for the surrounding area residents. The conferees also understand that the Sardis Lake Authority, the Choctaw Nation of Oklahoma, and the State of Oklahoma may form an entity to benefit equally from the sale of surplus water from the appropriate agreed upon lake level of Sardis Lake.

SEC. 546. SKINNER BUTTE PARK, EUGENE, OREGON

House §556. No comparable Senate section.—Senate recedes with an amendment.

SEC. 547. WILLAMETTE RIVER BASIN, OREGON

House §557, Senate §201(e)(7).—Senate recedes with an amendment.

SEC. 548. BRADFORD AND SULLIVAN COUNTIES, PENNSYLVANIA

House §558. No comparable Senate section.—Senate recedes.

SEC. 549. ERIE HARBOR, PENNSYLVANIA

House §559. No comparable Senate section.—Senate recedes.

SEC. 550. POINT MARION LOCK AND DAM, PENNSYLVANIA

House §560, Senate §305(d).—Senate recedes.

SEC. 551. SEVEN POINTS' HARBOR, PENNSYLVANIA

House §561. No comparable Senate section.—Senate recedes with an amendment.

SEC. 552. SOUTHEASTERN PENNSYLVANIA

House §562. No comparable Senate section.—Senate recedes.

SEC. 553. UPPER SUSQUEHANNA-LACKAWANNA, PENNSYLVANIA, WATERSHED MANAGEMENT AND RESTORATION STUDY

House §563, Senate §104(qq).—House recedes.

SEC. 554. AGUADILLA HARBOR, PUERTO RICO

House §564. No comparable Senate section.—Senate recedes.

SEC. 555. OAHE DAM TO LAKE SHARPE, SOUTH DAKOTA, STUDY

House §565. No comparable Senate section.—Senate recedes.

SEC. 556. NORTH PADRE ISLAND STORM DRAINAGE REDUCTION AND ENVIRONMENTAL RESTORATION PROJECT

House §569, Senate §323.—House recedes with an amendment.

The conferees understand the authorized project is described in the Nueces County Commissioners Court report dated March 31, 1997.

SEC. 557. NORTHERN WEST VIRGINIA

House §570. No comparable Senate section.—Senate recedes with an amendment.

SEC. 558. MISSISSIPPI RIVER COMMISSION

House §572, Senate §231.—Senate recedes.

SEC. 559. COASTAL AQUATIC HABITAT MANAGEMENT

House §573. No comparable Senate section.—Senate recedes.

SEC. 560. ABANDONED AND INACTIVE NONCOAL MINE RESTORATION

House §575. No comparable Senate section.—Senate recedes.

SEC. 561. BENEFICIAL USE OF WASTE TIRE RUBBER

House §576. No comparable Senate section.—Senate recedes with an amendment.

SEC. 562. SITE DESIGNATION

House §577. No comparable Senate section.—Senate recedes with an amendment.

SEC. 563. LAND CONVEYANCES

House §578, Senate §334, §320, §102(q), §102(r), §339, §340.—Senate recedes with an amendment.

SEC. 564. MCNARY POOL, WASHINGTON

Senate §339. No comparable House section.—House recedes with an amendment.

SEC. 565. NAMINGS

House §579, Senate §308.—Senate recedes with an amendment.

SEC. 566. FOLSOM DAM AND RESERVOIR ADDITIONAL STORAGE AND WATER SUPPLY STUDIES.

House §580. No comparable Senate section.—Senate recedes.

SEC. 567. WALLOPS ISLAND, VIRGINIA

House §581. No comparable Senate section.—Senate recedes.

SEC. 568. DETROIT RIVER, DETROIT, MICHIGAN

House §582, Senate §104(bb).—Senate recedes with an amendment.

SEC. 569. NORTHEASTERN MINNESOTA

House §583. No comparable Senate section.—Senate recedes.

SEC. 570. ALASKA

House §584. No comparable Senate section.—Senate recedes.

SEC. 571. CENTRAL WEST VIRGINIA

House §585. No comparable Senate section.—Senate recedes.

SEC. 572. SACRAMENTO METROPOLITAN AREA WATERSHED RESTORATION, CALIFORNIA.

House §586. No comparable Senate section.—Senate recedes with an amendment.

SEC. 573. ONONDAGA LAKE

House §587. No comparable Senate section.—Senate recedes with an amendment.

SEC. 574. EAST LYNN LAKE, WEST VIRGINIA

House §588. No comparable Senate section.—Senate recedes.

SEC. 575. EEL RIVER, CALIFORNIA

House §589. No comparable Senate section.—Senate recedes.

SEC. 576. NORTH LITTLE ROCK, ARKANSAS

House §590. No comparable Senate section.—Senate recedes with an amendment.

SEC. 577. UPPER MISSISSIPPI RIVER, MISSISSIPPI PLACE, ST. PAUL, MINNESOTA

House §591. No comparable Senate section.—Senate recedes.

SEC. 578. DREDGING OF SALT PONDS IN THE STATE OF RHODE ISLAND.

Senate §301. No comparable House section.—House recedes.

SEC. 579. SUSQUEHANNA RIVER BASIN, PENNSYLVANIA

Senate §302. No comparable House section.—House recedes.

SEC. 580. CUMBERLAND, MARYLAND, FLOOD PROJECT MITIGATION

Senate §310. No comparable House section.—House recedes.

SEC. 581. CITY OF MIAMI BEACH, FLORIDA

Senate §311. No comparable House section.—House recedes.

SEC. 582. RESEARCH AND DEVELOPMENT PROGRAM FOR COLUMBIA AND SNAKE RIVERS SALMON SURVIVAL

Senate §315. No comparable House section.—House recedes.

SEC. 583. LARKSPUR FERRY CHANNEL, CALIFORNIA

Senate §317. No comparable House section.—House recedes.

SEC. 584. HOLES CREEK FLOOD CONTROL PROJECT, OHIO

Senate §328. No comparable House section.—House recedes.

SEC. 585. SAN JACINTO DISPOSAL AREA, GALVESTON, TEXAS

Senate §335. No comparable House section.—House recedes with an amendment.

SEC. 586. WATER MONITORING STATION

Senate §337. No comparable House section.—House recedes.

SEC. 587. OVERFLOW MANAGEMENT FACILITY, RHODE ISLAND

Senate §329. No comparable House section.—House recedes.

SEC. 588. LOWER CHENA RIVER, ALASKA

No comparable House or Senate section.

SEC. 589. NUMANA DAM FISH PASSAGE, NEVADA

No comparable House or Senate section.

SEC. 590. EMBREY DAM, VIRGINIA

No comparable House or Senate section.

SEC. 591. ENVIRONMENTAL REMEDIATION, FRONT ROYAL, VIRGINIA

No comparable House or Senate section.

SEC. 592. MISSISSIPPI

No comparable House or Senate section.

SEC. 593. CENTRAL NEW MEXICO

No comparable House or Senate section.

SEC. 594. OHIO

No comparable House or Senate section.

SEC. 595. RURAL NEVADA AND MONTANA

No comparable House or Senate section.

SEC. 596. PHOENIX, ARIZONA

No comparable House or Senate section.

SEC. 597. NATIONAL HARBOR, MARYLAND

No comparable House or Senate section.

TITLE VI. CHEYENNE RIVER SIOUX TRIBE, LOWER BRULE SIOUX TRIBE, AND STATE OF SOUTH DAKOTA TERRESTRIAL WILDLIFE HABITAT RESTORATION.

Senate §401. No comparable House section.—House recedes with an amendment.

Miscellaneous

PASSAIC RIVER, NEW JERSEY

House §337. No comparable Senate section.—House recedes to Senate.

The conferees understand that the Transportation Equity Act for the 21st Century (P.L. 105–206) included funding for the design and construction of a facility for safe pedestrian access, specifically an esplanade in the vicinity of Joseph G. Minish Waterfront Park, Newark, New Jersey. The conferees understand it is the intent of the local proponents that the esplanade is to have an overall width of 600 feet. The conferees encourage the Corps of Engineers to provide appropriate technical assistance in the planning of such project to ensure its coordination with existing Corps' projects and activities along the Passaic River.

BUD SHUSTER,
DON YOUNG,
SHERWOOD BOEHLERT,
RICHARD H. BAKER,
JOHN T. DOOLITTLE,
DON SHERWOOD,
JAMES L. OBERSTAR,
ROBERT A. BORSKI,
ELLEN TAUSCHER,
BRIAN BAIRD,
Managers on the Part of the House.

JOHN H. CHAFEE,
JOHN WARNER,
BOB SMITH,
GEORGE V. VOINOVICH,
MAX BAUCUS,
DANIEL MOYNIHAN,
Managers on the Part of the Senate.

N O T I C E

Incomplete record of House proceedings. Today's House proceedings will be continued in the next issue of the Record.