

(50) PLAN FOR USE OF JUDGMENTS TO INDIAN TRIBES.—

(A) IN GENERAL.—Section 2(a) of Public Law 93-134 (25 U.S.C. 1402(a)) is amended by striking “and submit to Congress”.

(B) SUPPORTING DOCUMENTS.—Section 4 of Public Law 93-134 (25 U.S.C. 1404) is repealed.

(C) EFFECTIVE DATE OF PLAN.—Section 5 of Public Law 93-134 (25 U.S.C. 1405) is amended—

(i) in subsection (a)—

(I) by striking (a); and

(II) by striking “, at the end” and all that follows through the end of the subsection and inserting “upon submission of the plan to the affected tribes or groups.”; and

(ii) by striking subsections (b), (c), (d), and (e).

(51) ADJUSTMENTS OR ELIMINATIONS OF REIMBURSABLE DEBTS OF INDIANS OR INDIAN TRIBES.—The Act of July 1, 1932 (25 U.S.C. 386a; 47 Stat. 564) is amended by striking the second and third provisos therein.

(52) ACCEPTANCE OF GIFTS FOR THE BENEFIT OF INDIANS.—The Act of February 14, 1931 (25 U.S.C. 451; 46 Stat. 1106) is amended by striking “An annual report” and all that follows through “data.”.

(53) PROPOSED LEGISLATION TO RESOLVE CERTAIN INDIAN CLAIMS.—The Indian Claims Limitation Act of 1982 (Public Law 97-394; 28 U.S.C. 2415 note) is amended by striking section 6.

(54) INDIAN RESERVATION ROADS STUDY.—Section 1042 of Public Law 102-240 (Public Law 102-240; 23 U.S.C. 202 note) is amended—

(A) by striking “(a) STUDY—”; and

(B) by striking subsection (b).

(55) AMERICAN SAMOA WATER AND POWER STUDY.—Section 301 of Public Law 102-247 (106 Stat. 38) is amended—

(A) by striking “(a)”; and

(B) by striking subsection (b).

(56) SUCCESS OR FAILURE OF THE GOVERNORS OF GUAM AND THE VIRGIN ISLANDS IN MEETING GOALS AND TIMETABLES TO ELIMINATE GENERAL FUND DEFICITS BY 1987.—Section 607(c) of Public Law 96-597 (48 U.S.C. 1641 note) is repealed.

(57) RECOMMENDATION FOR DESIGNATING AS WILDERNESS CERTAIN PUBLIC LANDS PREVIOUSLY IDENTIFIED.—Section 603(b) of Public Law 94-579 (43 U.S.C. 1782(b)) is amended—

(A) by striking the first and second sentences; and

(B) by inserting “of an area referred to in subsection (a)” after “for designation”.

(C) ANNUAL FINANCIAL REPORT BY CHIEF EXECUTIVE OF THE GOVERNMENT OF THE NORTHERN MARIANA ISLANDS.—Section 5 of Public Law 92-257 (48 U.S.C. 1692) is amended to read as follows:

“SEC. 5. The chief executive of the Government of the Northern Mariana Islands shall prepare, publish, and submit to the Congress and the Secretary of the Interior a comprehensive annual financial report in conformance with the standards of the National Council on Governmental Accounting, within 120 days after the close of the fiscal year. The report shall include statistical data as set forth in those standards relating to the physical, economic, social and political characteristics of the government, and any other information required by the Congress. The chief executive shall also make any other reports at other times as may be required under applicable Federal laws. This section is not subject to termination under section 502(a)(3) of the Covenant to Establish a Commonwealth of the Northern Mariana Islands in Political Union with the United States of America (90 Stat. 263, 268).”.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from

California (Mr. DOOLITTLE) and the gentleman from California (Mr. DOOLEY) each will control 20 minutes.

The Chair recognizes the gentleman from California (Mr. DOOLITTLE).

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

Madam Speaker, H.R. 3002 will provide for the continued preparation of certain useful reports concerning public lands, Native Americans, fisheries, wildlife, insular areas and other natural resources-related matters.

Section 3003 of the Federal Reports Elimination and Sunset Act of 1997 terminates all reports to Congress contained in House Document 103-7 as of December 21, 1999. This document lists statutorily required reports to Congress from various executive branch agencies.

The philosophy of the Federal Reports Elimination and Sunset Act is to “alleviate the paperwork burden on executive branch agencies.” Certainly the reduction of unnecessary paperwork is a worthy goal. However, some consideration must be given as to why a statute mandates a certain report and as to how this information is used by the Congress and the public. In the case of the Committee on Resources, this information greatly aids our oversight activities and the development of legislation. The reports also provide the public with valuable insight as to how Federal tax dollars are being spent.

Without action by Congress, many critical reports will be lost before the end of the year, requiring extensive amendments to underlying statutory authorities to reinstate the reports. H.R. 3002 will restore 128 reports, including implementation costs of the Endangered Species Act, notices of withdrawals of public lands, rehabilitation needs for National Forest System lands, threatened areas on the National Register of Historic Places, management plans for National Parks, proposed oil and gas leasing programs on the Outer Continental Shelf, proposals for projects under the Small Reclamation Projects Act, and audits of financial assistance provided to the insular areas of the United States.

The bill also makes technical changes to some underlying laws which authorize repealed or sunsetted reports. Time constraints preclude additional mop-up work in this area, but the committee intends to work on technical amendments in another vehicle soon.

These reports are needed for effective congressional oversight and to allow the public to see how their taxpayer dollars are being spent.

I urge support for this bill.

Madam Speaker, I reserve the balance of my time.

Mr. DOOLEY of California. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, we have no objection to this legislation. The bill would extend the existing requirements that the administration report to Congress on certain subjects of interest to the Committee on Resources. These reports would otherwise terminate in December 1999 under the Federal Reports Elimination and Sunset Act of 1995.

H.R. 3002 was not subject to a committee hearing. However, since the committee markup, the CBO has concluded that the cost of extending the 128 separate reporting requirements would be about \$1 million annually, subject to appropriated funds. And neither OMB nor the affected department or agencies have raised specific concerns about this legislation.

Accordingly, since the administration has not objected to this bill and because it does not appear to be exceedingly burdensome or expensive, we support its passage in the House.

Madam Speaker, I yield back the balance of my time.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. DOOLITTLE) that the House suspend the rules and pass the bill, H.R. 3002.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

FACILITATING WATER TRANSFERS IN THE CENTRAL VALLEY PROJECT

Mr. DOOLITTLE. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 3077) to amend the Act that authorized construction of the San Luis Unit of the Central Valley Project, California, to facilitate water transfers in the Central Valley Project, as amended.

The Clerk read as follows:

H.R. 3077

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

SECTION 1. ELIMINATION OF RESTRICTIONS ON USE OF SAN LUIS UNIT FACILITIES FOR WATER TRANSFERS IN THE CENTRAL VALLEY PROJECT.

(a) ELIMINATION OF STATUTORY RESTRICTIONS.—Public Law 86-488 (74 Stat. 156) is amended—

(1) in section 2 by striking “and the use of the additional capacity for water service shall be limited to service outside of the Federal San Luis unit service area”; and

(2) in section 3 by adding “and” after the semicolon at the end of paragraph (h), by striking the semicolon at the end of paragraph (i) and inserting a period, and by striking paragraph (j).

(b) REQUIREMENTS FOR DELIVERY INSIDE FEDERAL SERVICE AREA.—Such Act is further amended—

(1) in section 2 by inserting “(subject to section 9)” after “a perpetual right to the use of such additional capacity”; and

(2) by adding at the end the following:

“SEC. 9. The State of California may not, under section 2, use additional capacity to deliver water inside the Federal San Luis unit service area unless—

“(1) such delivery is managed so as to ensure that—

“(A) agricultural drainage discharges arising from use of the delivered water—

“(i) comply with any waste discharge requirements issued for such discharges; or

“(ii) if there are no such waste discharge requirements, do not cause water quality conditions in the San Joaquin River and the Sacramento-San Joaquin Delta and San Francisco Bay to be degraded or otherwise adversely affected; and

“(B) use of the delivered water for irrigation does not frustrate or interfere with efforts by the United States and the State of California to manage agricultural subsurface drainage discharges from the San Luis unit; and

“(2) such delivery is consistent with those provisions of operating agreements between the Secretary and the Department of Water Resources of the State of California that are consistent with this Act.”.

(C) AMENDMENT OF EXISTING AGREEMENTS.—The Secretary of the Interior—

(1) shall seek to amend each agreement entered into by the United States and the State of California under section 2 of Public Law 86-488 before the date of the enactment of this Act, as necessary to delete from such agreement restrictions on use of additional capacity for water service for land in the Federal San Luis unit service area that are not consistent with the amendments made by this Act; and

(2) pending such amendment, shall not enforce any such restriction.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California (Mr. DOOLITTLE) and the gentleman from California (Mr. DOOLEY) each will control 20 minutes.

The Chair recognizes the gentleman from California (Mr. DOOLITTLE).

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

Madam Speaker, Federal agricultural contractors in the Central Valley Project of California who rely on exported water supplies from the Sacramento-San Joaquin River Delta have seen substantial reductions in their Federal water supplies over the last several years, even though these last few years have been “wet” years. This reduction has been increased because of the accumulated impacts of implementation of the Endangered Species Act, the Central Valley Project Improvement Act, and the Bay Delta Accord.

This reduction in CVP export supply reliability has increased the desire of many water managers to pursue water transfers. Additionally, numerous State laws and Federal laws have been enacted in an attempt to facilitate water transfers to assist agricultural and urban water users in maintaining reliable water supplies.

The San Luis Act of 1960 prohibits the State of California from providing water service to the San Luis Unit of the Central Valley Project. The committee believes this prohibition is in-

consistent with current Federal and State policies which encourage and facilitate water transfers.

H.R. 3077 amends the Act of 1960 by eliminating the restrictions on use of San Luis Unit facilities for water transfers in the Central Valley. The gentleman from California (Mr. DOOLEY) is the author of this legislation, and in just a moment I am sure will add his explanation.

This morning we received a letter from Governor Grey Davis of California in support of H.R. 3077.

Madam Speaker, I reserve the balance of my time.

Mr. DOOLEY of California. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, California's San Joaquin Valley is one of the most productive agricultural areas in the world. The lands that receive water from the San Luis Unit of the Central Valley Project are especially productive. Farmers here are highly dependent on reliable deliveries of surface water in order to sustain crop production in the valley.

But even in the best years, water supplies from the Central Valley Project are often limited. Many farmers in California now improve the reliability of their water supplies by working out water transfer arrangements with other water users so that the limited supplies can be moved around and used more efficiently. But farmers in the San Luis Unit cannot freely participate in these transfers because the San Luis Act of 1960 prohibits the State of California from providing water service to the San Luis Unit. I believe this restriction makes it unnecessarily difficult for San Luis Unit farmers to take advantage of water supplies that might otherwise be available to them. I also believe this restriction in Federal law is outdated and inappropriate. H.R. 3077, as amended, will address these problems by eliminating the restriction on delivery of water from the State of California to lands within the Federal San Luis service area.

This is significant legislation affecting water management in California. Its effect will be to allow the delivery of water from California's State Water Project to lands within the San Luis Unit. The State of California operates the State Water Project, and Governor Davis, as the gentleman from California (Mr. DOOLITTLE) cited earlier, has advised me and others that he supports enactment of H.R. 3077, as amended.

Madam Speaker, I include the Governor's letter of November 5, 1999 at this point in the RECORD.

GOVERNOR GRAY DAVIS,
Sacramento, CA, November 5, 1999.

Hon. CAL DOOLEY,
House of Representatives,
Washington, DC.

DEAR REPRESENTATIVE DOOLEY: I am writing to advise you of my support for H.R. 3077,

which you recently introduced along with Representatives Gary Condit, George Radanovich and Bill Thomas.

As you know, H.R. 3077 would authorize water users in the San Luis Unit of the Central Valley Project (CVP) to purchase water supplies from the State Water Project (SWP). The bill amends the San Luis Act of 1960, which prohibits water transfers between the SWP and users in the San Luis Unit of the CVP.

Given the likelihood of water shortfalls in the future, I believe that voluntary transfers will become an increasingly important water management tool to address future supply needs. Your legislation is consistent with current state and federal policies aimed at encouraging voluntary water transfers and will likely play a key role in facilitating such transfers. In addition, in furtherance of state and federal policies to encourage water transfers, it is appropriate to remove barriers that might otherwise restrict transfers between the two projects.

I also support Representative George Miller's recent amendment to H.R. 3077 that conditions the transfer of water between the SWP and the San Luis Unit on measures to prevent irrigation drainage problems or degradation of water quality. I am pleased that you and your colleagues on the House Resources Committee were able to reach agreement on this language during the recent markup session.

As the legislation moves through the House in the closing days of this year's session, please let me know if I can be of assistance.

Sincerely,

GRAY DAVIS.

An important issue raised by any proposal to provide additional supplies of irrigation water to the San Luis Unit is subsurface drainage. Discharges of subsurface agriculture drainage from the San Luis Unit contributed to the deaths of hundreds of waterfowl at the Kesterson Reservoir site in the mid 1980s, and, while farmers and water districts in the San Joaquin Valley have made great progress in recent years, drainage management in the San Luis Unit continues to be a critical and unresolved issue.

I had the opportunity to participate with Secretary Babbitt just yesterday in doing a tour of the San Luis Unit and had the chance to see some of the terrific work that the water districts are doing there in order to try to manage their drainage water.

The Committee on Resources accepted an amendment on this subject offered by the gentleman from California (Mr. GEORGE MILLER), the senior Democrat on the committee. The gentleman from California's amendment would allow the State to deliver water to the San Luis Unit only after specific requirements have been met to protect water quality.

The purpose of the Miller amendment is to ensure that irrigation water deliveries from the State Water Project to the Federal San Luis Unit service area are carefully managed and are not directed to lands that are known to contribute to agricultural drainage problems with the resultant adverse effects

on water quality in the San Joaquin River, the Sacramento-San Joaquin Delta, or San Francisco Bay. I was pleased to accept the gentleman from California's amendment during the committee's consideration of H.R. 3077. Governor Davis' letter also expresses his support for this amendment.

Madam Speaker, San Luis Unit farmers are the only farmers in the State of California who must farm under an outdated legal restriction that prevents them from supplementing their water supplies. H.R. 3077, as amended, will correct this inequity and will encourage responsible water use and cooperation among California water users.

I urge my colleagues to support the enactment of H.R. 3077, as amended.

Madam Speaker, I reserve the balance of my time.

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Mr. DOOLITTLE. Madam Speaker, I yield 3 minutes to the gentleman from California (Mr. RADANOVICH), a cosponsor of this legislation.

Mr. RADANOVICH. Madam Speaker, I thank the gentleman from California for yielding me this time.

As a cosponsor of H.R. 3077, I want to express my support for this bill on the floor. As we all know, water is a precious commodity in the State of California and particularly in the great Central Valley. I have seen the extra mile that water users in this area have taken to conserve water. This is not enough, however, because their water supply reliability has been significantly reduced and no certainty in supply is on the horizon for California agriculture and urban water users.

The Central Valley has a long agricultural history, producing over 250 of California's crops. With its fertile soil, temperate climate, and water supply capabilities, the Central Valley produces 8 percent of the agricultural output in the United States, on less than 1 percent of our Nation's farmland. Valley farmers grow nearly half of the fresh fruits and vegetables grown in the entire Nation.

At the same time, the Central Valley is the fastest growing region in the State, placing an ever-increasing demand on its urban water requirements. While agricultural and urban water demands are often in competition with one another, neither can be provided for unless a reliable supply of water is made available. Long-term environmental and habitat restoration needs of the Central Valley ecosystem must also be addressed, squeezing still more water out of a dwindling supply. Currently, under the CVPIA, over one million acre-feet of water is provided for environmental purposes each year.

The demands for agricultural, environmental and urban water uses in the great Central Valley are endless. Since water is directly tied to the economy,

any disturbance in its supply will almost certainly result in the loss of jobs and agricultural production. By the year 2020, a net loss of 2.3 million acre-feet of water is projected for agricultural use. This is unacceptable and irresponsible. The impact of such a decline would be devastating. Thus, an adequate water supply should and must be secured.

For these reasons, I am a cosponsor of H.R. 3077. This measure gives water users the ability to obtain water from the State of California by facilitating water transfers at the San Luis Unit. Currently, the San Luis Act prohibits the State from allowing water to go through the San Luis Unit of the Central Valley Project. This will be corrected under H.R. 3077 and some of the tremendous strains on water supplies in the State will be alleviated.

Again, I support this bill and urge its passage.

Mr. DOOLEY of California. Madam Speaker, I yield back the balance of my time.

Mr. DOOLITTLE. Madam Speaker, I urge an "aye" vote and I yield back the balance of my time.

The SPEAKER pro tempore (Mrs. BIGGERT). The question is on the motion offered by the gentleman from California (Mr. DOOLITTLE) that the House suspend the rules and pass the bill, H.R. 3077, as amended.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. DOOLITTLE. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on H.R. 359, H.R. 3002, and H.R. 3077.

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

There was no objection.

OFFICE OF GOVERNMENT ETHICS REAUTHORIZATION ACT

Mr. MCHUGH. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 2904) to amend the Ethics in Government Act of 1978 to reauthorize funding for the Office of Government Ethics, as amended.

The Clerk read as follows:

H.R. 2904

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

SECTION 1. REAUTHORIZATION OF APPROPRIATIONS.

(a) IN GENERAL.—Section 405 of the Ethics in Government Act of 1978 (5 U.S.C. App.) is amended by striking "1997 through 1999" and inserting "2000 through 2003".

(b) EFFECTIVE DATE.—This section shall take effect on October 1, 1999.

SEC. 2. AMENDMENT TO DEFINITION OF "SPECIAL GOVERNMENT EMPLOYEE".

(a) AMENDMENT TO SECTION 202(a).—Subsection (a) of section 202 of title 18, United States Code, is amended to read as follows:

"(a) For the purpose of sections 203, 205, 207, 208, 209, and 219 of this title the term 'special Government employee' shall mean—

"(1) an officer or employee as defined in subsection (c) who is retained, designated, appointed, or employed in the legislative or executive branch of the United States Government, in any independent agency of the United States, or in the government of the District of Columbia, and who, at the time of retention, designation, appointment, or employment, is expected to perform temporary duties on a full-time or intermittent basis for not to exceed 130 days during any period of 365 consecutive days;

"(2) a part-time United States commissioner;

"(3) a part-time United States magistrate;

"(4) an independent counsel appointed under chapter 40 of title 28 and any person appointed by that independent counsel under section 594(c) of title 28;

"(5) a person serving as a part-time local representative of a Member of Congress in the Member's home district or State; and

"(6) a Reserve officer of the Armed Forces, or an officer of the National Guard of the United States, who is not otherwise an officer or employee as defined in subsection (c) and who is—

"(A) on active duty solely for training (notwithstanding section 2105(d) of title 5);

"(B) serving voluntarily for not to exceed 130 days during any period of 365 consecutive days; or

"(C) serving involuntarily."

(b) AMENDMENT TO SECTION 202(c).—Subsection (c) of 202 of title 18, United States Code, is amended to read as follows:

"(c)(1) The terms 'officer' and 'employee' in sections 203, 205, 207 through 209, and 218 of this title shall include—

"(A) an individual who is retained, designated, appointed, or employed in the United States Government or in the government of the District of Columbia to perform, with or without compensation and subject to the supervision of the President, the Vice President, a Member of Congress, a Federal judge, or an officer or employee of the United States or of the government of the District of Columbia, a Federal or District of Columbia function under authority of law or an Executive act;

"(B) a Reserve officer of the Armed Forces or an officer of the National Guard of the United States who is serving voluntarily in excess of 130 days during any period of 365 consecutive days; and

"(C) the President, the Vice President, a Member of Congress or a Federal judge, but only to the extent specified in any such section.

"(2) As used in paragraph (1), the term 'Federal or District of Columbia function' shall include, but not be limited to—

"(A) supervising, managing, directing or overseeing a Federal or District of Columbia officer or employee in the performance of such officer's or employee's official duties;

"(B) participating in the Federal or District of Columbia government's internal deliberative process, such as by providing regular advice, counsel, or recommendations to the President, the Vice President, a Member of Congress, or any other Federal or District