November 18, 1999

CONGRESSIONAL RECORD—SENATE

30623

this abuse of the civil rights program to resolve these complaints as quickly as possible.

AMENDMENTS SUBMITTED

FURTHER CONTINUING RESOLUTION, 2000

BYRD (AND OTHERS) AMENDMENT NO. 2780

Mr. BYRD (for himself, Mr. MCCONNELL, Mr. ROCKEFELLER, Mr. BUNNING, Mr. REID, Mr. CRAIG, Mr. BRYAN, Mr. HATCH, Mr. BENNETT, Mr. MUKOWSKI, Mr. CRAPO, Mr. ENZI, Mr. BURNS, Mr. KYL, Mr. REBEAU, Mr. SHELBY, Mr. GRAMM, and Mr. GRAMS) proposed an amendment to the joint resolution (H.J. Res. 82) making further continuing appropriations for the fiscal year 2000, and for other purposes, as follows:

At the appropriate place, insert the following:

SEC. 1. FURTHER CONTINUING RESOLUTION.

(a) DISPOSAL OF EXCESS SOIL AND COAL MINE WASTE.

(1) In General.—Notwithstanding any other provision of law (including any regulation or court ruling), hereafter—

(1) in rendering permit decisions for discharges of coal stockpile and coal mine waste into waters of the United States from surface coal mining and reclamation operations, the permitting authority shall apply section 404 of the Federal Water Pollution Control Act (33 U.S.C. 1344) and the section 404(b)(1) guidelines pursuant to section 404(b)(1) of the Federal Water Pollution Control Act (33 U.S.C. 1344(b)(1)) and implementing regulations set forth in part 230 of title 40, Code of Federal Regulations (as in effect on October 19, 1999);

(2) the permitted disposal of such spoil or waste meeting the requirements of the section 404(b)(1) guidelines referred to in paragraph (1) shall be deemed to satisfy the criteria for discharge under regulations set forth in sections 816.57 and 817.57 of title 30, Code of Federal Regulations, and applicable State regulations; and

(3) Federal and State water quality standards shall not apply to the portions of waters filled by discharges permitted pursuant to the procedures set forth in paragraphs (1) and (2); all applicable Federal and State water quality standards shall apply to all portions of waters other than those filled pursuant to the permitting procedures set forth in paragraphs (1) and (2).

(2) DURATION OF EFFECTIVENESS.—The permitting procedures specified in subsection (a) shall remain in effect until the later of—

(1) the date that is 2 years after the date of enactment of this Act; or

(2) the effective date of regulations promulgated to implement recommendations made as a result of the environmental impact statement relating to the permitting process, the preparation of which was announced at 64 Fed. Reg. 5800 (February 5, 1999).

(c) EFFECT OF SECTION.—Nothing in this section modifies, supersedes, undermines, displaces, or amends any requirement of, or regulation issued under, the Federal Water Pollution Control Act (commonly known as the “Clean Water Act”) (33 U.S.C. 1251 et seq.) or the Surface Mining Control and Reclamation Act of 1977 (30 U.S.C. 121 et seq.), as applied by the responsible Federal agencies on October 19, 1999.

(d) PERIOD OF EFFECTIVENESS.—Notwithstanding any provision of law repealing or terminating the effectiveness of this Act, this section shall remain in effect until the date of the termination of the effectiveness of the permitting procedures in accordance with subsection (b).

SEC. 2. HARDSOIL MINING.

(a) IN GENERAL.—For the purposes of section 1000(a)(3) of division H of the Act enacting H.R. 3194 of the 106th Congress, in lieu of section 357 of title III of H.R. 3423 of the 106th Congress, as introduced on November 17, 1999, regarding the issuance of regulations on hardrock mining, the following shall apply:

(1) HARDROCK MINING.—None of the funds made available under this Act or any other Act shall be used by the Secretary of the Interior to promulgate final regulations to revise subparagraph (a)(3) of subsection (3) of section 307 or 383 of title 40, Code of Federal Regulations, except as necessary to implement the terms of this section.

(2) STANDARDS.—Nothing in this section shall prescribe standards for the protection of the environment or human health, or otherwise prescribe standards which are inconsistent with the terms of this section.

(b) PERIOD OF EFFECTIVENESS.—This section—

(1) takes effect 1 day after the date of enactment of this Act; and

(2) notwithstanding any other provision of law repealing or terminating the effectiveness of this Act, shall remain in effect unless repealed by Act of Congress that makes specific reference to this section.

HELM (AND OTHERS) AMENDMENT NO. 2781

Mr. LOTT (for Mr. HELMS (for himself, Mr. EDWARDS, and Mr. ROBB)) proposed an amendment to the joint resolution, H.J. Res. 82, supra, as follows:

At the appropriate place insert:

COMMODITY CREDIT CORPORATION PRODUCER-OWNED MARKETING ASSOCIATIONS FORGIVENESS

SEC. 1. The Secretary of Agriculture shall reduce the amount of any principal due on a loan made to a marketing association incorporated in the State of North Carolina for the 1999 crop of an agricultural commodity by at least 75 percent if the marketing association suffered losses of the agricultural commodity in a county with respect to which—(1) a natural disaster was declared by the Secretary for losses due to Hurricane Dennis, Floyd, or Irene; or (2) a major disaster or emergency was declared by the President for losses due to Hurricane Dennis, Floyd, or Irene under the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.)

If the Secretary assigns a grade quality for the 1999 crop of an agricultural commodity marketed by an association described in subsection (a) that is below the base quality of the agricultural commodity, the Secretary shall compensate the association for losses incurred by the association as a result of the reduction in grade quality.

Up to $51,000,000 of the resources of the Commodity Credit Corporation shall be used for the cost of this provision: Provided, That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) and prevent reappropriation of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

SEC. 2. In administering $50,000,000 in emergency supplemental funding for the Emergency Conservation Program, the Secretary shall give priority to the repair of structures essential to the operation of the farm.

ADDITIONAL STATEMENTS

Tribute to Graham Stiles Newell

Mr. JEFFORDS. Mr. President, it gives me great pleasure to stand before the Senate today and pay tribute to a man who has greatly influenced the cultural maturity of my home state of Vermont. Graham Stiles Newell will be honored as Citizen of the Year by the Vermont Chamber of Commerce on December 4, 1999. Graham has made extraordinary contributions to Vermont
in many areas throughout his life. And he has made his biggest contributions in one area in which I have spent a great deal of legislative energy—education.

Graham Newell probably learned to read before he learned to walk. I understand that he first secured a library card at the Saint Johnsbury Athenaeum when he was in the first grade. Since then, he has been passing on his knowledge to anyone willing to learn, and that number is larger than you can imagine. After graduating from the University of Chicago in 1938, he launched an incredible career in education, one that touched three generations of many Vermont families.

Graham has been a leader in Vermont education in both the professional and legislative arenas. In the last 70 years, he has been a teacher at the Junior High, High School, and College level, and will undoubtedly keep teaching well into the next millennium. Graham began his teaching career at his alma mater, Saint Johnsbury Academy, in 1938, and remained on the faculty for nine years. From 1945 to 1982 he taught history at Lyndon State College full-time. After “retiring” in 1982, he returned to the Academy to teach Latin, where you will still find him today. He also continued to teach one or two history classes a semester at Lyndon State College until 1996.

Most people consider Latin a dead language, but if you were to enter Graham’s classroom today you would find it to be as alive and enjoyable as ever. A testament to Graham’s teaching skills was demonstrated at the Academy in 1997, when 47 of his 52 Latin students, over 90 percent, made honors on the National Latin Exam, an extremely challenging test taken by Latin students, over 90 percent, made honors on the National Latin Exam, an extremely challenging test taken by Latin students. His language skills was demonstrated at the Academy in 1997, when 47 of his 52 Latin students, over 90 percent, made honors on the National Latin Exam, an extremely challenging test taken by Latin students. Over 90 percent made honors on the National Latin Exam, an extremely challenging test taken by students throughout the years have been of great benefit to California.

I offer my congratulations to the John H. Harland Company and its employees on the occasion of its 30th Anniversary and wish it great, continued success in the future.

TRIBUTE TO MR. KOLHL

Mr. President. I rise today to recognize the work of Barb Rabe, who retired after 29 years of service in the Oshkosh School District. She began her career in the Oshkosh School District in 1970 at the Perry Tipler Middle School as a Teachers Assistant, and then transferred to Oakwood Elementary School where she served for the next 27 years. During her years of service, Barb worked for six principals, adapting to each new principal’s style, and was always actively involved in school activities. She guided the student population grew from 200 to 500. She worked hard at creating partnerships with staff, students and families that would foster collaboration, cooperation and allegiance. Barb’s strong work ethic, energy and enthusiasm will be missed.

While mastering the key elements of organization and flexibility, giving of her time and talent in serving the faculty and students of Oakwood School, and showing love and appreciation for students, she also came up with new ideas to adapt to the changing world environment. She developed the computerized milk and lunch money collection program at the school, which helped the school collect money more efficiently and thoroughly. She also purchased her own computer years before the school purchased them and took her work home to complete it in an organized fashion. When Oakwood School became computerized, she played an instrumental role in the conversion process. The students and staff of Oakwood will miss her professional and positive demeanor, although her husband of 45 years, Gordon, and their three sons and their families, will enjoy spending more time with her. Barb will be sorely missed by the entire school community, however I extend my best wishes for a healthy, enriched and rewarding retirement.

TRIBUTE TO MR. MICHAEL J. NAPLES

Mr. LAUTENBERG. Mr. President, I rise today to pay tribute to Mr. Michael J. Naples. “Napes,” as he is affectionately called by all who know him, is retiring after 29 years of teaching at Ocean City High School in New Jersey. He has earned great respect from students and peers alike. Each year the students Mr. Naples’ taught and the athletes he coached attest to his dedication to excellence.

Although his first commitment was to education, his enthusiasm for cross-country and track leave an enduring legacy at Ocean City High School. Mr. Naples’ cross-country record over the last 21 years is 209 victories and 28 losses. His track record is 133 wins and only 8 losses. During his tenure as a track coach, Mr. Naples led the Raiders to two state titles and coached 9 individual state champions.

His greatest moment as a coach came during the 1989 cross-country season, when he inspired his girls’ team to capture the first state title for an Ocean City High School team in 24 years! Mr. President, it is often difficult to say goodbye to a teacher who has touched the lives of so many people. This is a teacher whose former students are continually coming back to thank him for inspiring them, educating them and, most importantly, caring about them. My deepest respects go to this inductee of the New Jersey Interscholastic Athletic Association.