HOUSE OF REPRESENTATIVES—*Tuesday, September 15, 1992*

The House met at 12 noon.

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

We are thankful, O God, that Your word to us tells of the way life should be and points us in the direction of justice and truth. Yet we acknowledge, gracious God, that we are responsible not only to hear the words of righteousness and see the vision of the way ahead, but also to use our hands and hearts and minds in doing the good works of justice. We pray for the strength and the courage and the wisdom to use our abilities in ways that benefit people and bind all together in the spirit of respect and in the bonds of peace. Amen.

THE JOURNAL

The SPEAKER. 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.

PLEDGE OF ALLEGIANCE

The SPEAKER. The Chair recognizes the gentleman from Indiana [Mr. JACOBS] to lead us in the Pledge of Allegiance.

Mr. JACOBS 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. Hallen, one of its clerks, announced that the Senate had passed with an amendment in which the concurrence of the House is requested, bills of the House of the following titles:

H.R. 5318. An act regarding the extension of most-favored-nation treatment to the products of the People's Republic of China, and for other purposes; and

H.R. 5334. An act to amend and extend certain laws relating to housing and community development, and for other purposes.

The message also announced that the Senate insists upon its amendment to the bill (H.R. 5334) "An act to amend and extend certain laws relating to housing and community development, and for other purposes," requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. RIEGLE, Mr. CRANSTON, Mr. SARBANES, Mr. D'AMATO, and Mr. BOND, to be the conferees on the part of the Senate.

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

S. 2099. An act to amend the Immigration and Nationality Act to designate special inquiry officers as immigration judges and to provide for the compensation of such judges, and for other purposes.

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 323) entitled "An act to require the Secretary of Health and Human Services to ensure that pregnant women receiving assistance under title X of the Public Health Service Act are provided with information and counseling regarding their pregnancies, and for other purposes."

PRIVATE CALENDAR

The SPEAKER. Today is the day for the call of the Private Calendar. The Clerk will call the first individual bill on the Private Calendar.

POSTPONING CONSIDERATION OF CERTAIN BILLS

Mr. SENSENBRENNER. Mr. Speaker, I ask unanimous consent that H.R. 760, Calendar No. 12; H.R. 1100, Calendar No. 14; H.R. 1123, Calendar No. 16; H.R. 1280, Calendar No. 17; and H.R. 2345, Calendar No. 32, be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. BOUCHER. Mr. Speaker, pursuant to a request by the Committee on Merchant Marine and Fisheries, I ask unanimous consent that Private Calendar Nos. 35 through 53 be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Virginia?

There was no objection.

The SPEAKER. The Clerk will call the next bill on the Calendar.

ROLLINS H. MAYER

The Clerk called the bill (H.R. 4069) for the relief of Rollins H. Mayer.

There being no objection, the Clerk read the bill as follows:

H.R. 4069

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

SECTION 1. ELIGIBILITY OF ROLLINS H. MAYER FOR FUTURE RETIRED PAY.

(a) IN GENERAL.—For purposes of section 1331(c) of title 10, United States Code, the service of Colonel Rollins H. Mayer, United States Air Force Reserve, retired, as a uniformed operations analyst with the 11th Army Air Force in the Asiatic Pacific theater combat zone from January 15, 1945, to September 29, 1945, shall be considered the performance of active duty. Rollins H. Mayer shall be entitled, upon application, to retired pay under chapter 67 of such title if he otherwise meets the requirements in section 1331 of such title.

(b) COMPUTATION OF RETIRED PAY.—Any retired pay to which Colonel Rollins H. Mayer is entitled by reason of this section shall be determined as if the section had been in effect on the date that Colonel Rollins H. Mayer became sixty years of age.

(c) APPLICABILITY.—This section shall apply to retired pay payable for any month beginning more than thirty days after the date of any determination by the Secretary of the Air Force that Colonel Rollins H. Mayer is entitled to retired pay by reason of this section.

SEC. 2. LUMP SUM PAYMENT OF ACCRUED RETIRED PAY.

(a) IN GENERAL.—If the Secretary of the Air Force determines that Colonel Rollins H. Mayer is entitled to retired pay by reason of section 1, the Secretary of the Treasury shall make a lump sum payment to Colonel Rollins H. Mayer out of the Department of Defense Military Retirement Fund. Such payment shall be in an amount equal to the total amount of accrued retired pay to which Colonel Rollins H. Mayer would have been entitled if section 1 applied to the period beginning on the date that Colonel Rollins H. Mayer became sixty years of age and ending on the last day of the month that precedes the first month to which section 1 applies, plus interest.

(b) LIMITATION OF AGENTS AND ATTORNEYS FEES.—It shall be unlawful for an amount that exceeds 10 percent of the amount described in subsection (a) to be paid to or received by any agent or attorney for any service rendered in connection with the benefits provided by this Act. Any person who violates this subsection shall be guilty of an infraction and shall be subject to a fine in the amount provided in title 18, United States Code.

With the following committee amendment in the nature of a substitute:

Strike all after the enacting clause and insert in lieu thereof the following:

SECTION 1. DETERMINATION OF RETIRED PAY.

The Secretary of the Air Force shall determine the total amount, if any, of retired pay under chapter 67 of title 10, United States Code, to which the late Colonel Rollins H. Mayer, United States Air Force Reserve, retired, would have been entitled for the period beginning on the date that he became 60 years of age and ending on the date of his death if—

(1) he had submitted an application for retired pay under section 1331 of such title to

☐ 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.

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the Secretary of the Air Force on the date on which he completed the requirement of section 1331(a)(2) of such title; and

(2) his service as a uniformed operations analyst with the 11th Army Air Force in the Asiatic-Pacific theater combat zone from January 15, 1945, to September 29, 1945, had been considered at the time of such application to be the performance of active duty for purposes of section 1331(c) of such title.

SEC. 2. PAYMENT OF CLAIM.

The Secretary of the Treasury shall pay to Sylvia N. Mayer, the widow of Colonel Rollins H. Mayer, out of the Department of Defense Military Retirement Fund, the amount, if any, determined under section 1.

SEC. 3. LIMITATION OF AGENTS AND ATTORNEYS FEES.

It shall be unlawful for an amount that exceeds 10 percent of the amount referred to in section 2 to be paid to or received by any agent or attorney for any service rendered in connection with the benefits provided by this Act. Any person who violates this section shall be guilty of an infraction and shall be subject to a fine in the amount provided in title 18, United States Code.

Mr. BOUCHER (during the reading). Mr. Speaker, I ask unanimous consent that the committee amendment in the nature of a substitute be considered as read and printed in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Virginia?

There was no objection.

AMENDMENT OFFERED BY MR. SENSENBRENNER TO THE COMMITTEE AMENDMENT IN THE NATURE OF A SUBSTITUTE

Mr. SENSENBRENNER. Mr. Speaker, I offer an amendment to the committee amendment in the nature of a substitute.

The Clerk read as follows:

Amendment to the committee amendment in the nature of a substitute offered by Mr. SENSENBRENNER: Page 4, strike lines 3 through 8 and insert the following:

(2) his service as a member of the Naval Reserve from September 1925 to June 1928 had been disregarded for purposes of section 1331(c) of such title.

Mr. BOUCHER (during the reading). Mr. Speaker, I ask unanimous consent that the amendment to the committee amendment in the nature of a substitute be considered as read and printed in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Virginia?

There was no objection.

The SPEAKER. The gentleman from Wisconsin [Mr. SENSENBRENNER] is recognized for 5 minutes.

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

The SPEAKER. The question is on the amendment to the committee amendment in the nature of a substitute offered by the gentleman from Wisconsin [Mr. SENSENBRENNER].

The amendment to the committee amendment in the nature of a substitute was agreed to.

The SPEAKER. The question is on the committee amendment in the nature of a substitute, as amended.

The committee amendment in the nature of a substitute, as amended, was agreed to.

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

The title of the bill was amended so as to read: "A bill for the relief of Sylvia N. Mayer."

A motion to reconsider was laid on the table.

The SPEAKER. The Clerk will call the next bill on the Private Calendar.

TERRILL W. RAMSEY

The Clerk called the bill (H.R. 5265) for the relief of Terrill W. Ramsey.

There being no objection, the Clerk read the bill as follows:

H.R. 5265

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

SECTION 1. REIMBURSEMENT OF RELOCATION EXPENSES FOR TERRILL W. RAMSEY.

For the purposes of permitting relocation expenses authorized by sections 5724 and 5724a of title 5, United States Code, incident to travel performed from Richmond, Virginia, to the District of Columbia in April 1991, Terrill W. Ramsey is deemed to be an employee transferred in the interest of the Federal Government by the United States Department of Education from one official station to another for permanent duty without a break in service.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

BEAR CLAW TRIBE, INCORPORATED

The Clerk read the resolution (H. Res. 492) referring the bill (H.R. 5426) for the relief of Bear Claw Tribe, Incorporated, to the chief judge of the U.S. Claims Court.

There being no objection, the Clerk read the resolution as follows:

H. RES. 492

Resolved, That the bill (H.R. 5426) entitled "A bill for the relief of Bear Claw Tribe, Incorporated", now pending in the House of Representatives, together with all accompanying papers, is referred to the chief judge of the United States Claims Court pursuant to section 1492 of title 28, United States Code, for proceedings in accordance with section 2509 of such title.

With the following committee amendment: Page 1, line 1, strike "(H.R. 5426)" and insert "(H.R. 5784)."

The SPEAKER. The question is on the committee amendment.

The committee amendment was agreed to.

The resolution, as amended, was agreed to.

The title of the resolution was amended so as to read: "Resolution referring the bill (H.R. 5784) for the relief of Bear Claw Tribe, Incorporated, to the chief judge of the United States Claims Court.".

A motion to reconsider was laid on the table.

POLITICAL CAMPAIGNING REGARDING CLINTON DRAFT RECORD DISTASTEFUL

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

Mr. JACOBS. Mr. Speaker, in the primaries of 1960 John F. Kennedy was campaigning in West Virginia. Some workmen along the road shouted at him, "Kennedy, I heard you never worked a day in your life." While Senator Kennedy was trying to think of some response, the workmen added, "You haven't missed a thing."

I think it is accurate to say that in 1988, when practically everybody across the country was dumping on our Vice President, a Member of the other body than mine, I was one of the comparatively few who stood up for him. I like him very much. When they complained about his not serving in the Vietnam war I stood up for him because it was a very controversial war.

Now, here they go again. This time it is Mr. Clinton, and I think the taste is just as bad.

It was a very controversial war and there was a lot of soul searching. Some people went to Canada and some did not. The ones that did not and complied with the law are patriots, whether they were in college or however else they spent their time during the Vietnam war.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF HOUSE JOINT RESOLUTION 520

Mr. GOSS. Mr. Speaker, I ask unanimous consent that my name be removed as a cosponsor of House Joint Resolution 520.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

CLINTON CHANGING STORY ON DRAFT DODGING

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

Mr. GILLMOR. Mr. Speaker, I came of military age during the first part of the Vietnam war. I was not drafted, I volunteered, and I am proud to have served in the U.S. Air Force. Many of my friends and contemporaries did not serve on active duty, and there is nothing wrong with that. Some joined the Reserve and the National Guard, and many others received deferments or were married, which made them exempt from the draft. But no one that I

knew of, no one, dodged the draft by the kind of maneuvering, manipulation, and plain deception of that used by Bill Clinton.

The issue is not whether Bill Clinton served, but the shabby way he used to dodge the draft and his lack of candor in trying to cover it up.

Bill Clinton says he is for change. The only change I have seen is the way he changes his story every time new information comes up about how he dodged the draft to let someone else serve in his place.

BUSH DODGING DEBATE

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

Mr. SMITH of Florida. Mr. Speaker, George Bush has become the ultimate debate dodger, and surprise, nobody is surprised. Saddled with a record he cannot defend and a program he cannot justify, it is little wonder that he is trying to squirm out of having an honest, direct debate with Bill Clinton.

The latest reason he does not want to debate is his old economic plan he tried to repackage last week in Detroit. Once again, the President has fashioned a plan that would give huge tax breaks to the super-rich while raising middle class taxes and cutting middle class benefits.

If enacted, Bush's economic plan would give a $100,000 tax break to those who earn over $1 million and a $14,000 tax break to those who earn over $200,000. However, if your family earns about $40,000 a year, Bush's plan would give you less than $5 per week.

And how does Bush plan to pay for this millionaire giveaway? He wants to slash Medicare, slash benefits for disabled veterans, and charge students another $2,100 when they repay their student loans.

That is the choice President Bush has given the American people. It is Medicare versus millionaires. No wonder he is dodging this debate.

□ 1210

THE PRESIDENTIAL DEBATES

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

Mr. DORGAN of North Dakota. Mr. Speaker, I regret the kind of remarks we just heard from the last speaker.

Mr. Speaker, for months, while the President's job rating was sinking like a lead weight, he kept telling us, "Just wait until I get into my campaign mode. Then you're going to see a political fighter."

Well, now it appears he was not really all that anxious. The Presidential Commission on Debates recommends three debates with a moderator.

Immediately the President rejected and Mr. Clinton accepted. Now his handlers are trying to find ways to avoid having the President debate at all.

For months the President has been dodging tough questions about his record. Now he is spending his time dodging debates.

Oh, he is a fighter all right. He goes to those flag factories. He stops down at every airport and drops off $100 million worth of pork.

In fact, yesterday he went one-on-one at a lumber camp with a spotted owl. He is a fighter all right, but do my colleagues know what the American people would like? They would like Mr. Bush and Mr. Clinton to come with no notes, no handlers, no research to a no-holds-barred debate about their hopes for the future of this country. That is what the American people want for a Presidential campaign. Will someone please tell the President about that?

INTRODUCTION OF WORKPLACE EDUCATION ACT OF 1992

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

Mr. REGULA. Mr. Speaker, today I am introducing the Workplace Education Act of 1992 to bridge the critical gap that now exists between businesses and institutions which provide employee education and high skills training.

The Workplace Education Act follows the model of the well-respected Cooperative Extension Service which was set up to address productivity in the agricultural sector through a network of local county agents. This low-cost, highly effective program works with farmers to address their particular needs.

The analogies between Cooperative Extension and workplace education in small firms are obvious. Most farmers are small businessmen, and most small businessmen are strong individualists. They want to be involved in customizing workplace education programs.

My legislation would create a similar system of work force agents. The work force specialists, much like the extension officers, would serve as points of contact, brokers of information, and providers of technical assistance.

No new money is required because this bill would redirect money currently allocated to the noneconomically disadvantaged adults served by the job training partnership into a system of grants. Grants would be provided to States for businesses willing to reeducate or train their workers.

This legislation is based on "The Missing Link," written by the Southport Institute for Policy Analysis, and will help to meet our national need for worker education and high skill training in a responsible manner. Finally, businesses will be encouraged, not punished, for their efforts to improve their productivity by further educating their work force.

GEORGE BUSH DUCKING PRESIDENTIAL DEBATES

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

Mr. SKAGGS. Mr. Speaker, why won't George Bush debate?

The American people are trying to decide who they want to lead us into the 21st century. They deserve to see the two candidates, head-to-head, on the same stage.

The Commission on Presidential Debates—the bipartisan Commission on Presidential Debates—has made a modest proposal that makes sense. Three 90-minute debates, one moderator, no panel of journalists. Governor Clinton has stated he's more than willing to debate on those terms.

But President Bush's minions are bobbing and weaving, trying to force the same overly structured, formal debate format—with a panel of journalists and specific times for answers and rebuttals—used in previous elections. Almost everyone agrees this format does not serve the public well, and it ought to be junked.

Why is George Bush afraid to meet Bill Clinton one-on-one, without a shield of journalists? Is he worried that Governor Clinton might smoke out the abysmal economic record of this administration? Is he worried that he might be asked why we should just trust him when his stock in trade is misrepresentation of his opponents' record?

Is he worried that Governor Clinton will ask him what programs he will cut to finance his proposed tax cut?

Mr. Speaker, George Bush has apparently decided he can win this election, not by providing a vision of what he wants to do, but by belittling the vision of his opponent. He flies from campaign stop to campaign stop in his taxpayer-financed jet, criticizing the Democratic ticket and glossing over his 4 years of abject failure to take care of America's business and Americans' jobs?

The American people deserve better. They deserve to see George Bush and Bill Clinton on the same stage, without buffers—to see who can offer the best prescription for our sick economy.

I know already—and so do many Americans—the answer to that question. Perhaps George Bush is afraid that, after he debates Bill Clinton, many others will, too.

WE'VE TRIED THEIR WAY; IT DOESN'T WORK

(Mr. GOSS asked and was given permission to address the House for 1

minute and to revise and extend his remarks.)

Mr. GOSS. Mr. Speaker, the urban liberals say they have the right answers to fight crime. For years this country tried their way—and it doesn't work. Urban crime is everywhere—in the cities, in the countryside, in the quiet suburban communities, in our homes, even in our cars. Many Americans are terrified—and understandably so. We read of one violent crime more horrible than the next—now we are stunned and outraged that a young mother, whose infant was tossed from her car during a carjacking, was dragged for 2 miles alongside the car to a grisly death. No place seems safe—and that is because crime in this country still pays. This week's New York Times talks of young criminals who say prison is not so bad, and who are worshipped by the next generation of criminals as cool and heroic because they served time. President Bush has urged this Congress to abandon its liberal attitude and pass tough anticrime legislation. The death penalty, tighter evidentiary rules, reform of the habeas corpus rules—these are reforms we urgently need. We've tried the liberal way—it doesn't work. How many more people have to die?

PRESIDENTIAL DEBATES IN JEOPARDY

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

Mr. GLICKMAN. Mr. Speaker, I first want to extend my condolences to Sonny Hoover Weiss, the widow of our colleague, Ted Weiss, who unfortunately passed away this past week. Ted was a classmate of mine, a great American, an outstanding Member of Congress, somebody that both sides of the aisle, liberals and conservatives, all will miss very, very much indeed.

Mr. Speaker, this week President Bush may have jeopardized the Presidential debates by refusing to face Governor Clinton in a head-to-head discussion of the issues. It is unbelievable that the President of the greatest and strongest Nation in the world is putting up roadblocks to debating the issues in this Presidential election.

The issues people care about this year relate to the economy and jobs. People want to know if they face a future of economic hope or decline. They want to know what the two candidates are going to do to move us toward prosperity. They are entitled to a direct debate on those issues. They are entitled to a direct debate on what the candidates are going to do about jobs, the economy and budget deficit.

Governor Clinton has taken the high road. He has accepted the direct debate format and is eager to attend. But Mr. Bush has not. Is he afraid? Is he not competent?

I think it is time to stop playing games with these debates and get on with them.

THE PEACE DIVIDEND

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

Mr. WELDON. Mr. Speaker, now that the cold war is over, there has been much talk in this Chamber about a so-called peace dividend.

I want to discuss a peace dividend of a different sort, a peace dividend that has cost the jobs of 1 million American workers.

I asked the General Accounting Office earlier this year to analyze the economic impact of defense spending reductions since 1985. That report is out today, Mr. Speaker.

The GAO found that from 1985, when defense spending will total $320 billion, until fiscal year 1993, when defense spending will total $278 billion, 1 million Americans employed in the military and in defense-related industries lost their jobs.

A reduction of just $40 billion has led to tremendous job loss and economic devastation around the country.

There are some Members of this Chamber and one candidate running for the Presidency who would slash the defense budget by an additional $40, $80, or $100 billion. I would ask them: How many more jobs would they sacrifice to get their much-believed peace dividend?

THE PRESIDENT'S LATEST ECONOMIC PLAN

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

Mr. VISCLOSKY. Mr. Speaker, President George Bush has said "I'll do anything to get reelected." Last week, he kept his word and announced a warmed-over economic plan that is designed primarily to divert the American people's attention from 12 years of voodoo economics and bad policy.

While he is busy flip-flopping on everything from taxes to farm subsidies, George Bush refuses to specify how he will pay for all of the election year goodies he has recently proposed.

How will he pay for his $1 billion expansion of agricultural export enhancement programs?

How will he pay for his precious cut in the capital gains tax that will cost $15.4 billion?

How will he pay for his proposed across-the-board tax cut?

This dangerous election year pandering will only add to our crippling $4 trillion Federal debt without addressing the serious problems that threaten our Nation's future.

Mr. Speaker, we are tired of reading George Bush's lips. We need an honest plan that will promote economic growth and put Americans back to work.

THE PRESIDENT IS RIGHT—THE ENDANGERED SPECIES ACT NEEDS BALANCE

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

Mr. HERGER. Mr. Speaker, people are as important as birds and plants. Unfortunately, the Endangered Species Act does not take this into account, and Americans are losing their jobs by the thousands as a result.

Some of us have been demanding changes in the Endangered Species Act to give it more balance and to give greater weight to the employment effects of efforts to protect plants and animals. Yesterday President Bush joined our effort, saying he will not sign an extension of the Endangered Species Act unless it gives greater consideration to communities whose livelihoods depend on natural resources.

This is good news. We can protect the environment and jobs as well if we seek a balance in the process.

Bill Clinton says he wants to put people first, but he is not doing it. Senator GORE seems to put people last. Only President Bush really is putting people first.

□ 1220

APPOINTMENT OF CONFEREES ON H.R. 5488, TREASURY, POSTAL SERVICE, AND GENERAL GOVERNMENT APPROPRIATIONS ACT, 1993

Mr. HOYER. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 5488) making appropriations for the Treasury Department, the U.S. Postal Service, the Executive Office of the President, and certain independent agencies, for the fiscal year ending September 30, 1993, and for other purposes, with Senate amendments thereto, disagree to the Senate amendments, and agree to the conference asked by the Senate.

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

There was no objection.

MOTION TO INSTRUCT OFFERED BY MR. WOLF

Mr. WOLF. Mr. Speaker, I offer a motion to instruct.

The SPEAKER pro tempore (Mr. MAZZOLI). The Clerk will report the motion.

The Clerk read as follows:

Mr. WOLF moves that the managers on the part of the House on the conference of the disagreeing votes of the two Houses on the bill, H.R. 5488, be instructed to insist on the

House position on the amendment of the Senate numbered 154.

The SPEAKER pro tempore. The gentleman from Virginia [Mr. WOLF] is recognized for 30 minutes.

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

Mr. Speaker, I move that the House instruct its conferees to insist on the House language in H.R. 5488 to increase penalties for anyone who knowingly transports goods made wholly or in part by convicts or prisoners from $1,000 to $50,000 and increase imprisonment time from 1 year to 2 years.

Section 307 of the Tariff Act of 1930, 18 U.S.C. 1307, clearly states that any good mined, produced, or manufactured by convict, forced or indentured labor is forbidden from import into the United States. The Customs Service is responsible for determining if any imports are produced in such a manner and can forbid their entry into the United States.

Mr. Speaker, it is time to update the law; $1,000 is pocket change for companies which bring in boatloads of goods made in labor camps. This amendment would increase the penalties to $50,000 or 2 years in jail, thus making the crime a felony. Businesses which knowingly transport prison-made goods will take notice of these penalties, and will start to ask the simple question—were those goods made in forced labor camps?

It is time to get tough on firms that are not only breaking U.S. trade law, but are committing a moral crime. I think this amendment is a start and I urge my colleagues to join me in supporting it.

Mr. Speaker, it is an open secret that political prisoners are being kept away in forced labor camps in the People's Republic of China, producing goods for the international marketplace. I have expressed my concern about this topic on this floor several times. During a trip to China last year I visited Beijing Prison No. 1 where 40 prodemocracy demonstrators, arrested after the Tiananmen protests, were and are still imprisoned. While there I picked up some socks made by the prisoners—clearly socks aimed at a western market.

Many may have seen the "60 Minutes" show last year in which Harry Wu, a Chinese citizen risking his life by returning to China, and Ed Bradley exposed the ongoing human rights violations by Chinese officials in forced labor camps. Human rights groups estimate that the population of the camps is between 12 million to 16 million people, including hundreds of thousands of political prisoners.

No one knows the exact size of the Chinese prison export system but, according to experts, 50 percent of all prison goods are going overseas. They are shipping machinery, textiles, and agricultural goods—tucked away in China's burgeoning flow of exported goods. The People's Republic of China had about $60 billion in export last year, and our trade deficit with China is between $12 billion and $13 billion.

It is not easy to determine if the goods entering U.S. markets are actually made with prison labor. Credit should be given to the U.S. Customs Service for their recent investigations and for their actions enforcing the ban on importing products made with slave labor. But even the most tenacious investigator would be thrown off track by the tangled web of Asian middlemen usually based in Hong Kong, the nucleus of China's export business.

Imagine a labor force of 12 to 16 million, paid nothing, given minimal food and shelter; some prisoners are even beaten and whipped if they do not meet quotas. American companies should not have to compete against this sort of trade practice. And the fact is, this business is getting bigger and bolder. Of more importance, tacit acceptance only encourages and promotes this enormous violation of human rights.

When will the international community, led by the United States, which does far and away the most business with China, call a halt to China's gulag economy? We have heard about United States firms, and the Customs Service has identified many of them, that have hand-in-glove relationships with the Chinese labor camps. These relationships only serve to tighten the chains around the feet of men and women, young and old, who courageously took to the streets in 1989 to express their political convictions, an internationally recognized human right. You remember the pictures, the solitary man in front of the line of tanks, chanting students crowding into Tiananmen Square, only to be gunned down and then imprisoned.

As pointed out in Business Week recently, how can we morally accept and trade comfortably with a country that exploits a vast gulag labor supply, hundreds of thousands of which are prisoners of conscience?

I, therefore, offer this motion to instruct House conferees to insist on House language in the Treasury bill which amends title 18 of the United States Code by increasing penalties from $1,000 to $50,000 and 1 year to 2 years for anyone who knowingly imports any prison-made goods.

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

Mr. WOLF. I yield to the gentleman from Maryland.

Mr. HOYER. Mr. Speaker, we have no objection to the motion offered by the gentleman from Virginia, and we will support its implementation.

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

The SPEAKER pro tempore. Without objection, the previous question is ordered on the motion to instruct.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to instruct offered by the gentleman from Virginia [Mr. WOLF].

The motion to instruct was agreed to.

A motion to reconsider was laid on the table.

The SPEAKER pro tempore. Without objection, the Chair appoints the following conferees: Mr. ROYBAL, Mr. HOYER, Ms. PELOSI, and Messrs. COLEMAN of Texas, SKAGGS, VISCLOSKY, WHITTEN, WOLF, LIGHTFOOT, ROGERS, and MCDADE.

There was no objection.

APPOINTMENT OF CONFEREES ON H.R. 5679, DEPARTMENTS OF VETERANS AFFAIRS AND HOUSING AND URBAN DEVELOPMENT, AND INDEPENDENT AGENCIES APPROPRIATIONS ACT, 1993

Mr. TRAXLER. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 5679) making appropriations for the Departments of Veterans Affairs and Housing and Urban Development, and for sundry independent agencies, boards, commissions, corporations, and offices for the fiscal year ending September 30, 1993, and for other purposes, with Senate amendments thereto, disagree to the Senate amendments, and agree to the conference asked by the Senate.

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

The Chair hears none, and without objection, appoints the following conferees: Messrs. TRAXLER, STOKES, MOLLOHAN, CHAPMAN, and ATKINS, Ms. KAPTUR, and Messrs. WHITTEN, GREEN of New York, COUGHLIN, LOWERY of California, and MCDADE.

There was no objection.

SUPPORT THE TOURISM REAUTHORIZATION ACT

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

IN MEMORY OF THE HONORABLE TED WEISS

Mr. THOMAS of Wyoming. Mr. Speaker, I want to talk a little bit about tourism, but before I do, I, too, want to recognize the passing of our colleague, the gentleman from New York, Ted Weiss.

I am the ranking Republican on the subcommittee which Mr. Weiss chaired during this past 2 years. I want to tell the Members that I do not know of anyone in this House who has been more dedicated to the proposition of supporting the things that he thought were right for his people and for the people of this country. We will miss Ted Weiss very much.

Mr. Speaker, I am pleased to see the Tourism Reauthorization Act finally come to the floor. As the Members know, the House passed similar legislation last November, and it is time this bill moves forward.

Tourism continues to be a key industry for the State of Wyoming. It's crucial to many local economies and will be a vital part of my State's future. As a member of the House tourism caucus, I am committed to enacting the necessary steps that foster continued growth of the tourism industry, especially to rural areas of this country.

Statistics show that more and more people are traveling to regional attractions nearby, such as, in the West, Yellowstone Park. S. 680 recognizes this trend with its establishment of a Rural Tourism Development Foundation to develop and promote rural tourism.

Mr. Speaker, again, I express my support and praise the approach of this bill.

PERMISSION TO FILE CONFERENCE REPORT ON H.R. 5373, ENERGY AND WATER DEVELOPMENT APPROPRIATIONS ACT, 1993

Mr. BEVILL. Mr. Speaker, I ask unanimous consent that the managers may have until midnight tonight to file a conference report on the bill (H.R. 5373) making appropriations for energy and water development for the fiscal year ending September 30, 1993, and for other purposes.

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

There was no objection.

TIME TO PUT AMERICA FIRST

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

Mr. LEWIS of Florida. Mr. Speaker, I rise in support of the administration's request to sell 72 F-15 fighter aircraft to our allies in Saudi Arabia.

Although this sale will affect my district, I held off on endorsing it because I felt it important to ensure it was compatible with Middle East peace.

Having seen it, I believe it is, and believe it would be economically irresponsible for America not to take advantage of this opportunity to ensure thousands of jobs.

Two issues are important. Will the jobs and profits be taken elsewhere if we stop the sale, and will it harm Israel?

The answers are also simple. Saudi Arabia will take the sale elsewhere, and take the jobs to Britain or France if we do not agree.

To my colleagues who are concerned about Israel, as we go through this process, I would caution them to let Israel speak for Israel. Do not let others speak for her. If Israel says no, then I would understand.

Mr. Speaker, America needs this sale. To those who say "Put America first," it is time to show they really mean it.

□ 1230

MEXICO FREE-TRADE AGREEMENT BAD FOR AMERICAN JOBS

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

Mr. TRAFICANT. Mr. Speaker, the President has called the free-trade agreement with Mexico our savior. Mr. Speaker, if this trade agreement is our savior, I say get ready, strap on your seatbelts because the Four Horsemen are soon to be visiting America.

Let us look at the record. Since 1983 trade has doubled, but the paychecks of American workers have shrunk 20 percent.

If this trade agreement is passed, Ohio alone is predicted to lose over 60,000 jobs in the first 18 months.

Mr. Speaker, I say it is time for both Mr. Clinton and Mr. Bush to stop walking, talking, and acting like Harry Truman—Harry Truman is dead—but to look us in the eye in a face-to-face debate, and tell the American people what they will do as President, so we can make a decision where our country may go in the future. We are in trouble.

DISCOURTEOUS ACTIONS TOWARD PRESIDENTIAL CANDIDATES

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

Mr. ROHRABACHER. Mr. Speaker, on Sunday the President of the United States, George Bush, visited Orange County. Along with President Bush, former President Reagan attended a rally, a political rally held by Republicans. In the middle of that rally, 150 or so demonstrators waving proabortion signs and chanting Clinton slogans decided to disrupt the right of assembly and the right of speech of those Republicans so gathered.

Someone decided that he would work his way to the front of the podium and proceeded to give the finger to the President of the United States. The demonstrators chanted "——, George," to the President of the United States.

Is this the type of disgraceful activity that is coming out of the Clinton campaign? I do not think so. I think it is simply discourtesy. But let us decide right now as this campaign proceeds that we will not put up with this type of discourtesy from anyone, whether those people are supporting George Bush or supporting Mr. Clinton. And I would hope that those people are listening to this and are ashamed of what they did.

DUCKING DEBATES BY ALLEGING CLINTON DODGED DRAFT

(Mrs. SCHROEDER asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. SCHROEDER. Mr. Speaker, President George Bush's administration and his reelection campaign are riddled with people who avoided service in Vietnam or avoided military service altogether—for example, Vice President DAN QUAYLE, Secretary of Defense Dick Cheney, campaign official Charles Black, and leading campaign bullhorns such as Senator PHIL GRAMM and Patrick Buchanan.

I note with some irony that George Bush was a Member of the House in 1967 when the Congress extended the draft law that provided those student and other determents that largely benefited the children of middle-class and affluent families—which is to say, the children of Members of Congress. Indeed, I doubt if the number of children of Members of Congress who served in Vietnam would be sufficient to complete one-single platoon.

Representative Otis Pike offered an amendment to eliminate student deferments, but it was defeated by an unrecorded vote. Several Members, including Representative Frank Evans, spoke against the inequity of deferring college students while others died in Vietnam.

Then-Representative George Bush was absent on May 27, 1967, the day the House debated and passed the draft law extension, 362 to 9. Several weeks later, when the House approved the draft law conference report, 377 to 29, Representative Bush voted yea.

The law not only extended the unfair student deferment program, it expressly prohibited the President from instituting a random selection program. Former Assistant Attorney General Burke Marshall, who chaired Lyndon Johnson's draft advisory commission, said that the bill "made the system worse than it was before."

Twenty-five years later, President George Bush is attacking someone who took advantage of a draft law Representative George Bush helped pass. Go figure.

SALE OF F-15'S TO SAUDI ARABIA

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

Mr. BERMAN. Mr. Speaker, last Friday President Bush announced a plan to sell 72 advanced F-15 warplanes to Saudi Arabia, a sale that will trigger a

major escalation of the Middle East arms race. This is the same President Bush who just last year proclaimed his support for multinational efforts to limit arms sales to the Middle East. This is from the same administration whose Secretary of State told the House Foreign Affairs Committee during the height of the gulf war:

> The time has come to try to change the destructive pattern of military competition and proliferation in the Middle East and to reduce the arms flow into an area that is already over-militarized.

However, Mr. Baker's statement turns out to be just another policy disregarded by a President who says that he will do anything to win reelection. It is a sad commentary that the administration's idea of a job program is selling some of our most advanced and dangerous weapons to anyone who is prepared to pay cash up front.

Has the President announced a policy to deal with the obvious fact that the massive defense spending that fueled our past prosperity is gone for good? By continuing our business-as-usual policy of selling weapons to the Middle East, we undermine our moral authority to persuade other countries to stop dangerous arms transfers.

How can we tell the cash-strapped nations of Russia and China to restrain their sales when we ourselves continue to push weapons and vigorously pursue new markets? And how can we expect Britain and France to work with us in building a responsible arms supplier regime if we proceed with unrestrained sales?

It is my intention, Mr. Speaker, together with a number of my colleagues, to introduce a resolution to disapprove this sale. I am under no illusions about our likelihood of success. However, I think it is important that we send a message that we must stop fueling the arms spiral. If we do not, then one day we will have to face the responsibility of being the world's premier arms pusher, and the terrible consequences that will flow from that fact.

SALE OF F-15'S TO SAUDI ARABIA SHOULD BE STOPPED

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

Mr. MAZZOLI. Mr. Speaker, in May 1991, I was very excited because the President announced a policy to restrain arms sales to the Middle East in order not to further destabilize that region. As we remember, back in May 1991, we had just emerged from the gulf war.

However, just this week the President has given formal notice that he proposes to sell 72 F-15 airplanes to Saudi Arabia, jet fighter planes, weapons of war. It is business as usual, unfortunately, the arms business as usual, not the business of peace, but the business of war.

I am a proud cosponsor of a resolution just discussed a moment ago by my friend from California, Mr. BERMAN, who along with others will drop this resolution today in seeking to disapprove this arms sale in an effort to try to promote peace, not war in the Middle East. I think we have an opportunity at this juncture when the Warsaw Pact is dissolved, and when we have a new type of thinking in the world, to actually achieve peace. I believe that this weapons sale would not serve that end, and it ought to be disapproved.

DODGING THE PRESIDENTIAL DEBATE

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

Mr. LEVIN of Michigan. Mr. Speaker, in Michigan "dodge" is a word with both a good and a bad meaning. We are very proud of Dodge motor vehicles. But when the word "dodge" means to duck, many, many in Michigan object.

The Presidential debate has been tentatively scheduled for next Tuesday in East Lansing, MI, under terms set by the bipartisan commission. But President Bush is ducking it. He says he wants to debate, but only if he can do so the way he did 4 years ago.

But this election is about the future, not the past. The President should come to Michigan next Tuesday. He should trust the American people to decide whom they trust to take us into the future.

OPENING OF SOCIAL SECURITY LIAISON OFFICE

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

Mr. ROSTENKOWSKI. Mr. Speaker, today I have sent to Members a letter informing them of the opening of the new Social Security Administration liaison office in the House of Representatives. I was pleased to be involved in the establishment of the office. Special thanks should go to Social Security Subcommittee Chairman ANDY JACOBS—who was instrumental in assuring the opening of the office—and to the leadership for making space available for this office.

This office will assist Members and their staffs in resolving constituent problems—such as lost benefit checks and inquiries about benefit eligibility and delays in disability benefits. Because the office is equipped with a computer linked directly to Social Security's main data banks, the office can also take applications for Social Security numbers, make name or address changes, and allow individuals to check their earnings records.

The office is located in the Rayburn Building on level G3—just around the corner from the subway to the Capitol.

I believe this new office will provide a significant improvement in services to Members and their constituents.

TRIBUTE TO LATE HONORABLE TED WEISS

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

Mr. COX of California. Mr. Speaker, I rise to pay tribute to a colleague from the Committee on Government Operations on which I serve, a man of conviction who always pursued the best interests of the country as he saw them.

All of us, Republicans and Democrats, should mourn the passing of our colleague, Ted Weiss, because he represented something so unique in politics these days. He was a man uncompromisingly committed to his principles. Whatever one might say about his ideology—and it was very different from my own—Ted Weiss always concerned himself with the health, the safety, and the constitutional rights of every American. He was extraordinarily liberal, even Socialist on some matters, but that did not prevent us on many occasions, for example dealing with human rights, from coming to common cause with respect to, say, the Communist government in Beijing.

Mr. Speaker, I learned as a student and a faculty member at Harvard University, home to so many political liberals, that there is no correlation between intelligence and good political judgment. So I can admire Ted Weiss' intelligence, his hard work, and his commitment to principle.

The state and the stock of politicians has fallen very low these days, but there are among us men and women who are committed to their better vision of America.

And as radically different as his path was to that goal, there is no question Ted Weiss was such a man. I am proud to have worked with him.

THE ISSUE OF DRAFT STATUS

(Mr. APPLEGATE asked and was given permission to address the House for 1 minute.)

Mr. APPLEGATE. Mr. Speaker, the draft status is nothing more than a bogus issue. When I am out on the campaign trail, I do not talk about the draft status of DAN QUAYLE or Dick Cheney or NEWT GINGRICH. That is a personal thing.

I would rather talk about the issues.

But the attacks on Bill Clinton are deplorable. There is nothing more here than a coverup for the important issues that face this Nation—and I would say

that the Republicans know a lot about coverups.

Mr. Speaker, people want George Bush and Bill Clinton to debate one-on-one, not a staged theater. They want to hear talk about jobs, the economy, and trade, how they are going to house, clothe, and feed their families, talk about veterans and senior citizens and education.

I hope that President Bush will reconsider his position to these debates, but I can understand why he hides.

You can run for President of the United States, Mr. Bush, but you cannot hide from your record.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. MAZZOLI). The Chair would remind Members not to address the President directly but through the Chair.

INTRODUCTION OF BILL TO GIVE FULL TAX CREDIT FOR PROVIDING DRUG AND ALCOHOL ABUSE PROGRAMS TO WORKERS

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

Mr. JONES of Georgia. Mr. Speaker, today I am introducing a bill which would encourage employers to provide their employees with drug and alcohol abuse programs by creating a 100-percent tax credit for that purpose.

Mr. Speaker, drug and alcohol abuse is our No. 1 health problem, and an enormous economic problem. Half of the populations of our prisons and our hospitals are filled with its victims.

Substance abuse costs our economy tens of billions per year, weakening our competitiveness.

Treatment is the most effective, and the most cost-effective means we have to combat this epidemic.

I ask my colleagues to cosponsor this vital legislation.

PROVIDING FOR CONSIDERATION OF H.R. 3724, INDIAN HEALTH AMENDMENTS OF 1992

Ms. SLAUGHTER. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 562 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 562

Resolved, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 1(b) of rule XXIII, declare the House resolved into the Committee of the Whole House on the State of the Union for consideration of the bill (H.R. 3724) to amend the Indian Health Care Improvement Act to authorize appropriations for Indian health programs, and for other purposes. The first reading of the bill shall be dispensed with. General debate shall be confined to the bill and shall not exceed one hour, with thirty minutes equally divided and controlled by the chairman and ranking minority member of the Committee on Interior and Insular Affairs and thirty minutes equally divided and controlled by the chairman and ranking minority member of the Committee on Energy and Commerce. After general debate the bill shall be considered for amendment under the five-minute rule. It shall be in order to consider as an original bill for the purpose of amendment under the five-minute rule an amendment in the nature of a substitute consisting of the text of H.R. 5752. The amendment in the nature of a substitute shall be considered by title rather than by section. Each title shall be considered as read. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. Any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill or to the amendment in the nature of a substitute made in order as original text. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

The SPEAKER pro tempore. The gentlewoman from New York (Ms. SLAUGHTER) is recognized for 1 hour.

Ms. SLAUGHTER. Mr. Speaker, for purposes of debate only, I yield 30 minutes to the gentleman from Tennessee (Mr. QUILLEN), pending which I yield myself such time as I may consume.

Mr. Speaker, all time yielded during debate on House Resolution 562 is yielded for the purpose of debate only.

Mr. Speaker, House Resolution 562 is an open rule providing for the consideration of H.R. 3724, the Indian Health Amendments of 1992. The rule provides for 1 hour of general debate, 30 minutes of which is to be equally divided and controlled by the chairman and ranking minority member of the Committee on Interior and Insular Affairs, and 30 minutes which is to be equally divided and controlled by the chairman and ranking minority member of the Committee on Energy and Commerce.

Mr. Speaker, House Resolution 562 provides that when the bill is considered for amendment under the 5-minute rule that it shall be in order to consider as original text for the purpose of amendment, the amendment in the nature of a substitute consisting of the text of H.R. 5752. H.R. 5752 represents a compromise reached between the two committees of jurisdiction which is to serve as the amendment vehicle for this legislative initiative. The rule further provides that the amendment in the nature of a substitute shall be considered by title rather than by section and that each title shall be considered as having been read.

House Resolution 562 also provides that at the conclusion of the consideration of the bill for amendment, the committee shall rise and report the bill to the House with such amendments as may have been adopted. Under the rule, any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill or to the amendment in the nature of a substitute. Finally, Mr. Speaker, the rule provides that the previous question shall be considered as having been ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

Mr. Speaker, access to health care is an issue of primary importance to every American. The delivery of health care services to Native Americans is an important element of the general health care crisis in this country. H.R. 3724 seeks to improve the current state of health care delivery to native Americans on reservations and in urban areas and the compromise bill recommended by the Interior and Energy and Commerce Committees represents policy initiatives which will carry the Indian Health Service into the year 2000. Mr. Speaker, in order that the House may address this critical issue prior to adjournment, I urge adoption of the rule and H.R. 3724.

□ 1250

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

Mr. Speaker, I thank the gentlewoman from New York for yielding me this time. She has ably explained the provisions of the rule.

Mr. Speaker, I urge the adoption of this open rule, which allows Members the opportunity to offer any appropriate amendments.

The Federal Government has a longstanding responsibility to provide health services to Indian tribes and Alaskan Natives. Yet despite the various expansions and improvements to Indian health care programs over the years, the general health status of American Indians and Native Alaskans remains poor.

The Committee on Energy and Commerce and the Committee on Interior and Insular Affairs have put forth a compromise bill which reauthorizes funding for a number of Indian health programs through the fiscal year 2000.

Additionally, to address the need to further improve the health status of these people, the bill contains 56 specific objectives identified by the Department of Health and Human Services and gives the Indian Health Service and Indian tribes the tools they need to achieve these objectives.

Mr. Speaker, the first Americans deserve not only this, but other attributes of health care which this bill does not contain. They need help. They also need to be brought up out of the forgotten ages, because they truly are Americans, too.

Mr. Speaker, I urge the adoption of this rule.

Mr. Speaker, I have no requests for time, and I yield back the balance of my time.

Ms. SLAUGHTER. Mr. Speaker, for purposes of debate only, I yield 4 minutes to the gentleman from New Mexico [Mr. RICHARDSON].

Mr. RICHARDSON. Mr. Speaker, I rise in support of the rule, and commend the gentleman from California [Mr. MILLER], the gentleman from California [Mr. WAXMAN], and the very sensitive statement by the gentleman from Tennessee [Mr. QUILLEN] for a good piece of legislation.

Mr. Speaker, I rise in strong support of H.R. 3724, the Indian Health Amendments of 1992. New Mexico's Third Congressional District, which I represent, has the largest native American constituency of any Member in the House with 19 Pueblos, the Navajo Nation, and the Jicarilla Apache Tribe; 21 percent of my district's population is native American.

What is happening, Mr. Speaker, is that the rich historical and cultural heritage of our Nation's Indians is being destroyed daily by high unemployment, poverty, and a health status that is far below that of the general population. The original Americans, to whom the U.S. Government has a trust responsibility, are falling through the cracks.

A recent Washington Post story on a survey of the status of native American teenagers just hints at the overwhelming problems faced by native Americans. Some of the conclusions of the study are and I quote: "[Native American teenagers are] the most devastated group of adolescents in the nation," and "for every risk factor, with the exception of homicide, Native [American] kids are in far worse shape than African-American kids."

From the drugs and violence we here about daily and sometimes experience firsthand here in the Nation's Capital, we know that the status of African-American teenagers is appalling. This does not say much about the U.S. Government's trust responsibility to native Americans.

For the RECORD, I will delineate only some of the statistics from the Post article; however, I highly recommend the article and will attach it for the RECORD. Eleven percent of native American teenagers reported that one or both of their parents were dead, compared to 5 percent of Minnesota teenagers; 22 percent of 12th-grade girls reported having been victims of sexual abuse compared to 19 percent in the Minnesota sample; 22 and 12 percent of native American girls and boys respectively reported attempting suicide; and 27 percent of 12th graders reported drinking weekly or more.

A 1990 Department of Health and Human Services "Healthy People 2000" report notes that native American populations, relative to other populations, are young and impoverished with one in four living below the poverty level. The telling factor in the report, however, is the explanation for the relative youth and poverty of native Americans, that is, that so many native Americans die before age 45. The exceedingly high death rate is traced to six causes; Unintentional injuries, cirrhosis, homicide, suicide, pneumonia, and diabetes.

H.R. 3742 will give the Indian Health Service the resources it needs to begin to deal with many of these problems. I am particularly pleased that the legislation contains several important provisions I authored regarding fetal alcohol syndrome [FAS] which strikes without regard to race or socioeconomic status. While FAS affects 1 in 250 live births, the incidence is 30 times higher among native Americans. The physical and mental birth defects which are symptomatic of FAS can occur whenever a woman drinks alcohol during pregnancy.

FAS threatens to destroy whole generations on some Indian reservations if stronger Federal action is not taken soon. Despite the statistics, FAS is 100 percent preventable, simply by not drinking during pregnancy.

Among other things, the FAS provisions in H.R. 3742 will direct the Indian Health Service to expand the community health representative curriculum beyond the medical model of health care to include training in lifestyle-related matters such as alcoholism, family dysfunction, and poverty and how these factors impact health. Since CHR's are frequently the front line, and sometimes the only line of defense in providing health care services on reservations, it is important that CHR's understand the devastating effects of alcohol on pregnant women and be able to recognize FAS children on their reservations so that they can receive appropriate care.

The provisions will also require the IHS, in consultation with tribes and alcohol and substance abuse experts, to develop community-based training models addressing the elevated risk of alcohol and substance abuse faced by children of alcoholics, and the cultural and multigenerational aspects of alcohol and substance abuse. A 1987 IHS study found that children of alcoholics are six times more likely than the general population to come from homes where one or both parents were alcoholic. The study also found that 80 percent of all adolescent suicides are by children of alcoholics.

Finally, with respect to the critical problem of Indian alcoholism, I am pleased H.R. 3742 includes a provision to expand alcohol and substance abuse treatment services in the city of Gallup in McKinley County, NM. The scourge of alcoholism in Indian country is nowhere more evident than in Gallup on the edge of the Navajo reservation. Alcohol-related traffic accidents are seven times higher in Gallup than in the rest of the Nation and McKinley County has been cited by the National Institute on Alcohol and Alcohol Abuse for having the highest composite index of alcohol-related problems of all of the Nation's 3,106 counties. In 1990, the Gallup alcoholism crisis gained national media coverage on the NBC "Today Show," ABC's "20/20" documentary, and the "McNeil-Lehrer News Hour."

H.R. 3742 contains these and other important provisions to begin to address the crisis in Indian health. I urge my colleagues' support of this critical legislation.

Mr. Speaker, I include an article from the Washington Post of March 25, 1992, as follows:

[From the Washington Post, Mar. 25, 1992]

SURVEY PRESENTS BLEAK CIRCUMSTANCES OF NATIVE AMERICAN TEENAGERS

(By David Brown)

Thousands of Native American teenagers inhabit a world so filled with alcoholism, violent death and personal despair that by the end of high school 1 out of 5 girls and 1 out of 8 boys have attempted suicide.

Those were among the bleakest statistics of a generally bleak survey of more than 13,000 Indian and Alaska Native teenagers published yesterday in the Journal of the American Medical Association.

"This is the most devastated group of adolescents in the United States," Michael D. Resnick, an epidemiologist and one of the authors of the survey, said at a news conference yesterday.

Though certain risky behaviors—sexual activity and drinking in the late high school years, for example—are no more common among Native Americans than among some other racial groups, the total constellation of stresses on Native American teenagers seems to be greater, the survey suggested.

"For every risk factor with the exception of homicide, the Native kids are in far worse shape than African-American kids," said Robert W. Blum, a pediatrician and coauthor of the study, citing a population of adolescents thought to be under severe stress.

Other studies have shown that Native American teenagers have approximately twice the death rate of teenagers in any other racial group. In 1986, the rate for Indians and Alaska Natives between 15 and 19 years old was 190 deaths per 100,000 population, compared to 81 per 100,000 among all U.S. teenagers.

In the new study, University of Minnesota researchers gave a 162-item questionnaire to Indian and Alaska Native youngsters in 7th through 12th grades. All the respondents lived on reservations or in predominantly Native American communities in dozens of states. Urban populations were not surveyed, nor were high school dropouts.

The researchers compared some of their results with those from a similar survey of white, rural teenagers in Minnesota. Among the findings:

Eleven percent of Native American teenagers reported that one or both of their parents were dead, compared to 5 percent of the Minnesota teenagers.

About 46 percent reported living in dual-parent homes, compared to 87 percent of the Minnesota sample.

About 22 pecent of 12th grade girls reported having been victims of sexual abuse. About

19 percent of similar girls in the Minnesota sample reported sexual abuse.

About 27 percent of 12th grade youths reported drinking weekly or more frequently. This is not significantly different from the Minnesota sample. However, among Native Americans, drinking begins at a younger age, with 9 percent of the 8th graders drinking at least weekly, compared to 5 percent of their Minnesota counterparts.

About 31 percent of teenagers in the 7th through 9th grades reported using marijuana, with usage rising to 50 percent in the 10th through 12th grades. A national survey of teenagers last year showed that 42 percent of all 12th-graders had used marijuana at least once.

About 22 percent of the female Native American respondents, and 12 percent of the males, reported attempting suicide. Thirty percent of teenagers whose families had a suicide history had attempted suicide. Among U.S. teenagers as a whole in 1990, 10.3 percent of girls and 6.2 percent of boys had attempted sucide at least once.

Eleven percent of the Native American sample reported knowing someone who had committed suicide.

Almost one-fifth of the students said that they had been knocked unconcious by another person at least once.

The survey was answered anonymously. The researchers did not attempt to verify any of the answers, though certain statistical maneuvers were performed to eliminate clearly bogus responses.

Resnick acknowledged that many of the teenagers who said they had attempted suicide may not have actually performed a life-threatening act, but that the message from the survey was nevertheless clear.

"It is the teenagers' definition of the situation that is really critical. Young people who view themselves as having attempted suicide are a far more distressed group of kids, " the researcher said. "Whether or not an adult could question the veracity of the attempt misses the point. It is a warning signal."

The rate of death by suicide among Native American youth is 26.3 per 100,000 compared to 12.4 per 100,000 for the teenage population as a whole.

Ms. SLAUGHTER. Mr. Speaker, I yield back the balance of my time, and I move the previous question on the resolution.

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

PROVIDING FOR CONSIDERATION OF H.R. 450, STOCK RAISING HOMESTEAD ACT AMENDMENTS OF 1992

Ms. SLAUGHTER. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 561 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 561

Resolved, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 1(b) of rule XXIII, declare the House resolved into the Committee of the Whole House on the State of the Union for consideration of the bill (H.R. 450) to amend the Stock Raising Homestead Act to resolve certain problems regarding subsurface estates, and for other purposes. The first reading of the bill shall be dispensed with. Points of order against consideration of the bill for failure to comply with clause 8 of rule XXI are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chairman and ranking minority member of the Committee on Interior and Insular Affairs. After general debate the bill shall be considered for amendment under the five-minute rule. It shall be in order to consider as on original bill for the purpose of amendment under the five-minute rule the amendment in the nature of a substitute recommended by the Committee on Interior and Insular Affairs now printed in the bill. The committee amendment in the nature of a substitute shall be considered as read. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. Any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill or to the committee amendment in the nature of a substitute. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions. After passage of H.R. 450, the Committee on Interior and Insular Affairs shall be discharged from further consideration of S. 1187, and it shall be in order in the House to move to strike all after the enacting clause of the Senate bill and to insert in lieu thereof the provisions of H.R. 450 as passed by the House. If the motion is adopted and the Senate bill, as amended, is passed, then it shall be in order to move that the House insist on its amendments to S. 1187 and to request a conference with the Senate thereon.

□ 1300

The SPEAKER pro tempore (Mr. MAZZOLI). The gentlewoman from New York [Ms. SLAUGHTER] is recognized for 1 hour.

Ms. SLAUGHTER. Mr. Speaker, for purposes of debate only, I yield the customary 30 minutes to the gentleman from Tennessee [Mr. QUILLEN], and pending that I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

Mr. Speaker, House Resolution 561 is an open rule providing for the consideration of H.R. 450, the Stock Raising Homestead Act Amendments of 1992.

The rule waives points of order against consideration of the bill for failure to comply with rule XXI, clause 8, requiring a Congressional Budget Office pay-as-you-go cost estimate to be included in any legislation providing for or changing receipts or direct spending.

It provides for 1 hour of general debate to be equally divided and controlled by the chairman and ranking minority member of the Committee on Interior.

Further, the rule makes in order the Interior Committee amendment in the nature of a substitute now printed in the bill as an original bill for the purposes of amendment. The substitute shall be considered by title, with each title considered as read.

The rule provides for one motion to recommit with or without instructions.

Finally, after the passage of H.R. 450, the rule provides that the Senate companion bill, S. 1187 be discharged from the Committee on Interior and Insular Affairs. It shall be in order to move to strike out all after the enacting clause of the Senate bill and insert the provisions of H.R. 450 as passed by the House. If the motion is adopted, a second motion to insist on the House amendments and request a conference is in order.

Mr. Speaker, H.R. 450, the bill for which the Rules Committee has recommended this rule, would establish a sound balance between prospecting and mining interests and those who own the surface grazing rights on over 70 million acres of public land. The bill would require notification to the surface rights owner and the Bureau of Land Management before prospecting activities begin. H.R. 450 would also require reclamation of damaged areas and compensation for damage to surface improvements.

Mr. Speaker, I ask my colleagues to support this open rule so that we may proceed with consideration of the merits of this legislation.

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

Mr. Speaker, I support this open rule and urge its adoption.

The Stock Raising Homestead Act of 1916 allowed individuals to gain title from the Federal Government to the surface of public lands for grazing livestock. The Federal government retains all subsurface mineral rights on these lands.

However, conflicts arise when those interested in the raising of livestock and those engaged in the occupation of mineral exploration and development seek to gain the use of the same parcel of land. This bill seeks to establish a sound process for balancing the property rights of surface owners with prospecting and mining interests.

As you will recall, H.R. 450 was considered on the House floor in late July of this year under suspension of the rules. However, it failed to get the necessary two-thirds vote for passage.

The administration is opposed to this bill because it would unduly restrict the right to prospect for minerals and would impose inflexible and costly reclamation standards of miners. Additionally, the bill would place the Secretary of the Interior in the position of authorizing activities on the surface estate without the owner's consent and would essentially give subsurface mineral rights to the surface owner without fair compensation to the United States.

This open rule would allow the House to address these concerns and others, and I urge its adoption.

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

Ms. SLAUGHTER. 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 resolution was agreed to.

A motion to reconsider was laid on the table.

INDIAN HEALTH AMENDMENTS OF 1992

The SPEAKER pro tempore. Pursuant to House Resolution 562 and rule XXIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the consideration of the bill, H.R. 3724.

□ 1305

IN THE COMMITTEE OF THE WHOLE

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 3724) to amend the Indian Health Care Improvement Act to authorize appropriations for Indian health programs, and for other purposes, with Mrs. SCHROEDER in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. Pursuant to the rule, the bill is considered as having been read the first time.

Under the rule, the gentleman from California [Mr. MILLER] will be recognized for 15 minutes, the gentleman from Arizona [Mr. RHODES] will be recognized for 15 minutes, the gentleman from California [Mr. WAXMAN] will be recognized for 15 minutes, and the gentleman from California [Mr. DANNEMEYER] will be recognized for 15 minutes.

The Chair recognizes the gentleman from California [Mr. MILLER].

Mr. MILLER of California. Madam Chairman, I yield myself such time as I may consume.

Madam Chairman, H.R. 3724, a bill I sponsored with Mr. WAXMAN of California, reauthorizes the programs and services of the Indian Health Service. This bill has been the subject of four hearings in the Interior Committee, one of which focused on the tragic problem of fetal alcohol syndrome among Indian people. Our committee has worked very closely with the Energy and Commerce Committee to craft this bill which reflects the agreements of both committees.

Madam Chairman, since the 19th century the Federal Government has had the responsibility to provide health services to Indian people. This responsibility stems from the numerous treaties between the Federal Government and Indian tribes. Unfortunately, the Federal Government has not fully carried through on these obligations.

According to the Indian Health Service, Indian people still suffer the highest mortality rates in this Nation. Indian people are 400 percent more likely to die from tuberculosis than the rest of the country, Indian people are over 300 times more likely to die from alcoholism, and Indian people are over 100 times more likely to die from diabetes. According to a recent study by the University of Minnesota, Indian adolescents are four times more likely to attempt suicide than all other ethnic groups.

Madam Chairman, it is not an exaggeration to say that Indian people have the lowest health status in this Nation. In recent years we have seen a great deal of improvement in the health status of Indian people. But still, it is not enough.

This bill includes several innovative programs to address some very serious health problems confronting Indian people. The bill includes programs to address fetal alcohol syndrome, adolescent suicide, child sexual abuse, alcoholism, diabetes, and long-term care for elderly Indian people.

In addition, the bill incorporates 58 specific health objectives developed by the administration and published in the "Healthy People 2000 Report." It is our goal that through this legislation these objectives can be achieved by the year 2000.

I urge my colleagues to support this very important legislation which has bipartisan support.

Madam Chairman, I reserve the balance of my time.

Mr. RHODES. Madam Chairman, I yield myself such time as I may consume.

Madam Chairman, I rise in full support of H.R. 3724, the Indian Health Amendments Act of 1992.

The United States has a continuing government-to-government relationship with Indian tribes and their members, entailing certain legal and moral responsibilities. These responsibilities to approximately 1.2 million Indians and Alaska Natives flow from treaties dating from the mid-1700's, and have been further delineated and defined by congressional statutes, Executive orders, judicial decisions and administrative regulations.

While the Government has provided health care services to native Americans since the 19th century as part of this responsibility, disturbingly glaring disparities have existed between the health status of native Americans and other American citizens. For example, in 1940 the life expectancy at birth of American Indians was 13.2 years shorter than that of the white population. By 1960, there was still a difference of 8.9 years.

In recognition of such disparities, Congress passed the Indian Health Care Improvement Act of 1976. A principal purpose of the act was to raise Indian health status to a level comparable with that of the general population over a 7-year period ending in 1984. The act was reauthorized in 1988 until the year 1993, and would be extended again by the present legislation until the year 2000.

The gentleman from California [Mr. MILLER] has already touched on some of the specifics of this legislation, so I will simply point out some important statistics. Despite the enormity of the task, the Indian Health Service has made great strides in raising the health status of Indians and Alaska Natives over the past years. In 1981–83, the mortality rate for tuberculosis was 96 percent less than in 1954–56. Mortality rates for infants during the same periods decreased by 82 percent, as did pneumonia and influenza deaths. The mortality rate for gastrointestinal diseases declined by 93 percent.

Still, much remains to be done before Indian and Alaska Native people attain health parity with other U.S. citizens. For example, in 1988, the age-adjusted mortality rates from the following causes were still alarmingly higher than those for the total U.S. all races population: Alcoholism, 438 percent greater; tuberculosis, 400 percent; diabetes mellitus, 155 percent; pneumonia and influenza, 32 percent.

Passage of H.R. 5752 will assure Indian people of continuing access to high-quality, comprehensive health services appropriate to their needs; it will assist Indian tribes and Alaska Native corporations in developing their capacity to staff and manage health programs and provide tribal organizations with the opportunity to assume operational authority for Indian Health Service programs serving their communities; and it will aid them in gaining access to other Federal, State, and local programs to which they are entitled.

Given the real need in Indian country for the services provided by this legislation, I wholeheartedly urge my colleagues to support passage of H.R. 3724.

□ 1310

Mr. WAXMAN. Madam Chairman, I yield myself such time as I may consume.

Madam Chairman, I rise in strong support of H.R. 3724, the Indian health care amendments.

Under the rule, the House is considering the text of H.R. 5752, a bill introduced by Chairman MILLER and myself that reflects a compromise between the amendments reported by the Committee on Energy and Commerce and those reported by the Committee on Interior and Insular Affairs.

I want to thank Chairman MILLER and his staff for their cooperation in bringing this important legislation to the House floor. I also want to recognize the contributions that members of my subcommittee especially Mr. SYNAR, Mr. RICHARDSON, Mr. SIKORSKI, and Mr. STUDDS, made to improving

this bill. I would also like to thank Chairman DINGELL and his staff for their cooperation and support.

The purpose of this legislation is to revise and extend the Indian Health Care Improvement Act, which expires this year. The act is one of the basic statutory authorities for the provision of health care to American Indians and Alaska Natives. This year, the Federal Government, through the Indian Health Service, will spend about $1.7 billion delivering health care to roughly 1.2 million American Indians and Alaska Natives.

The act was first enacted in 1976 with the purpose of improving the health status of American Indians and Alaska Natives. While many gains have been made since then, the fact is, the health status of native Americans is still well below that of the U.S. population as a whole. Indians are a youthful population, and many die young—many before the age of 45. The causes of death are primarily: Unintentional injuries, cirrhosis, homicide, suicide, pneumonia, and complications of diabetes. The tragedy is that these kinds of deaths are largely preventable—and not necessarily by the simple existence of an IHS hospital or clinic.

In "Healthy People 2000," the Secretary of HHS spelled out some very specific health objectives for American Indians and Alaska Natives. The legislation before us today is a 10-year reauthorization that is designed to give the IHS and the tribes the resources and the policy tools they need to achieve these objectives. It revises and reauthorizes programs relating to Indian health professionals, health services delivery, facilities construction and modernization, health services for urban Indians, and mental health and substance abuse treatment programs.

I want to emphasize that this bill contains no entitlement spending and has no pay-as-you-go effect. CBO estimates that this will result in new budget authority of $925 million in fiscal year 1993, and $5.538 billion over the next 5 years. Actual spending on the programs authorized by this bill will be determined by the Appropriations Committees within the limitations imposed by the Budget Act.

I would urge my colleagues to support this legislation and reserve the balance of my time.

Mr. DANNEMEYER. Madam Chairman, I yield myself such time as I may consume.

Madam Chairman, I rise to express strong concern about some provisions of this legislation.

I am well aware that the administration is not opposing passage of this legislation. I know that the bill was reported out of the Energy and Commerce Committee by voice vote after the gentleman from Virginia offered an amendment to address the administration's primary concern with the legislation at that time. I also understand that the bill was reported out of the Interior Committee with the support of Members from both sides of the aisle.

My primary objection is that several additional provisions were added by the Interior Committee to the bill as reported out by the Energy and Commerce Committee. These provisions authorize additional categorical activities, some of which will duplicate existing IHS services. The addition of these provisions also limits the ability of the Indian Health Service [IHS] to administer an effective program. By authorizing many additional activities, when the agency has difficulty accomplishing the current programs and priorities, Congress essentially dooms the agency to failure.

The bill also contains a provision which would eliminate the Secretary's right to recover reasonable expenses for health services if the condition for which health services were provided is covered under a tribe's self-insurance plan. Not only is the administration opposed to this provision, it is contrary to this Nation's health policy with respect to every other Federal health care program. I plan to offer an amendment to strike this opposition. I urge my colleagues to support my amendment.

Mr. RHODES. Madam Chairman, I yield 4 minutes to the gentleman from Alaska [Mr. YOUNG], the ranking member of the full Committee on Interior and Insular Affairs.

Mr. YOUNG of Alaska. Madam Chairman, I am pleased to offer my support to H.R. 3724, the Indian Heath Care Improvement Act. This bill is the result of the hard work of the Interior and Insular Affairs Committee and the Energy and Commerce Committee. H.R. 3724 proposes to authorize the Indian Health Care Improvement Act [IHCIA] originally signed into law in 1976, revised and reauthorized a couple of times since then. The law was the first comprehensive Federal law to define the Indian health care programs and was in response to documented flaws in the health status of Indians and Alaska Natives. I am pleased to be an original cosponsor of the bill and urge favorable consideration by this body.

H.R. 3724 makes a number of important changes to the Indian Health Care Improvement Act which will affect many of my Native constituents in Alaska. Title I of this bill was designed to accomplish two goals: First, to increase the number of Indians trained in health professions; and second, to provide a larger pool of health professionals to serve Indian people.

Title II of the Indian Health Care Improvement Act was a congressional mandate to the Indian Health Service to begin an incremental program to raise the health status of Indians to a level equal to the rest of the Nation.

Title III of the act pertains to the construction of health facilities, including hospitals, clinics, and health stations including necessary staff quarters, and of sanitation facilities for Indian communities and homes.

Title IV of the act relates to the collection and use of Medicare/Medicaid reimbursements by the Indian Health Service. The act established a program of grants and contracts with tribal organizations to assist eligible Indians in obtaining Medicare or Medicaid benefits.

Title V of the act, as amended by the 1980 amendments, authorized grants to urban Indian organizations to provide outreach and referral services to Indians in urban and other areas.

Title VI provides organizational improvements in the Indian Health Service.

Title VII directs the Secretary, acting through IHS, to provide a program of substance abuse prevention and treatment to members of Indian tribes.

Title VIII directs the President to include certain reports and statements on meeting the objective of this act with the submission of the budget. It also authorizes appropriations for Indian health care programs through fiscal year 2000.

Madam Chairman, I rise in support of this bill as it contains provisions for the Tanana Chiefs Conference and the Southeast Alaska Regional Health Corporation to staff and to operate residential youth treatment facilities in Alaska. Alaska has one of the highest substance abuse rates in the Nation and Tanana Chiefs Conference and the Southeast Alaska Regional Health Corporation will attempt to address the substance abuse problems with a youth facility program. I urge final passage of this bill and thank everyone for their efforts in finalizing a comprehensive Indian health bill.

Mr. FORD of Michigan. Madam Chairman, since 1975, pursuant to clause 1(g) of House rule X, the Committee on Education and Labor has had jurisdiction over Indian education programs and schools funded through the Bureau of Indian Affairs and serving Indians. The committee has taken actions in the past to expand the education programs in BIA schools to encompass substance abuse prevention and treatment and other health-related matters.

Provisions in this bill clearly lie within the jurisdiction of the Committee on Education and Labor, and, under ordinary circumstances, would justify and require a jurisdictional claim and review. The program authorized in section 210 of the bill as reported by the Committee on Interior and Insular Affairs, section 211 of the amendment in the nature of a substitute which adds a new section 215 to the Indian Health Care Improvement Act, is an example. It authorizes grants to Indian tribes to develop and implement comprehensive health education programs for children from preschool to grade 12 in schools located on Indian reservations. It addresses programs affecting Indian students in public schools. While the committee recognizes the great need for such pro-

grams, it is also concerned that in this time of fiscal restraint, there is a need to be sure that such programs in public schools do not duplicate ongoing Federal, State, or local efforts in this area. For this reason, the committee would, under other circumstances, request time to review this provision.

In the same section, the Interior Committee directs the Secretary of Interior to develop and implement a specific program of comprehensive health education in schools operated by the Bureau of Indian Affairs. This, also, is a matter within the jurisdiction of the Committee on Education and Labor. The legislative mandate for standards and curriculum for these schools is found in title XI of Public Law 95–561, the Education Amendments of 1978, as amended, in particular sections 1121, 1126, and 1128. This statute, which is the basis for BIA education administration, curriculum and school programs, and funding, is the product of years of careful consideration and effort by our committee. Changes to the BIA school programs should be made in coordination with the programs and policies required and funded by these provisions, and not in isolation. For instance, this provision appears to violate the requirements for local control and local school board involvement in curriculum and school programs, required by section 1130 of title XI.

Additionally, we have a number of very practical concerns regarding this provision. First, it is not coordinated with other legislative requirements placed on BIA schools by this committee, such as the requirements in the Drug Free Schools and Communities Act and the substance abuse prevention curriculum mandated by section 1121(i) of the Education Amendments of 1978. Second, it only applies to BIA operated schools. That term does not include schools operated by tribes under grant or contract with the BIA. This committee would probably not want the Secretary of the Interior to mandate the content of curricula for those schools. However, the committee would want to be sure that those schools were involved in any decisions which could create programs they might wish to implement and in any decisions affecting funding for all BIA funded education programs. Finally, the funding for this new, required program will take funds from other school programs and activities. Given the severe underfunding of the BIA school accounts, the committee is concerned that new mandates, without new funds, could be a mistake.

Having expressed these concerns and noting the committee's clear jurisdictional claim, I do note that current, extraordinary circumstances must be considered. H.R. 3724 contains many worthwhile provisions in addition to those of jurisdictional interest to the Committee on Education and Labor. Time in this session is short. I am well aware that action by the Committee on Education and Labor to exercise its jurisdiction over these activities, and others in the bill involving education activities, could impair the chances of this much needed legislation becoming law. I would not want this to happen.

However, I want to serve notice that we are concerned that this action was taken without notice to the committee or its involvement, and that restraint on its part, in this specific instance, should not be construed as precedent warranting or justifying similar actions in the future. The Committee on Education and Labor maintains its sole jurisdiction in the area of Indian education, including jurisdiction over these newly created activities.

Mr. BEREUTER. Madam Chairman, this Member rises today in support of H.R. 3724, the Indian Health Amendments of 1992. This legislation will take positive steps toward improving the health of all native Americans.

It is a well documented fact that the health care status of native Americans is far below the status of the non-Indian population in the United States. This legislation is designed to help prevent many of these health problems and provide better access to care.

As you may know, the mortality rates of American Indians and Alaska Natives continue to exceed that of the non-Indian population in the United States by staggering percentages. For example, in 1988, the Indian Health Service [IHS] reported that the alcoholism mortality rate for native Americans is 438 percent higher than the overall U.S. population, the tuberculosis rate is 400 percent higher, diabetes mellitus is 155 percent higher, and accident fatalities are 131 percent higher than the U.S. population.

There are several sections of the legislation that this Member would like to highlight today. Section 304 of the bill amends section 307 of the Indian Health Care Improvement Act that authorizes an Indian health care delivery demonstration project. This program authorizes the funding of demonstration projects for innovative health care systems. Since Indian Health Service has not yet written regulations for this program, this reauthorization will hopefully encourage them to implement this program.

Representing Indians on four reservations located wholly or partially within the First Congressional District I serve in Nebraska, this Member understandably has had a long standing interest and concern about the severe alcohol and drug abuse problems among Indian people. These tribes, the Santee Sioux, Omaha, Winnebago, and the re-recognized Northern Ponca, reside in the First Congressional District of Nebraska and a small part of the Iowa-Sac reservation is also in the district.

There are several provisions in the bill that deal with substance abuse. The distinguished former Member of the House from South Dakota, Mr. DASCHLE, who is now a Member of the other body, and this Member introduced legislation in the 98th and 99th Congress to create Indian juvenile alcohol and drug abuse treatment centers and programs. Our purpose was to stress prevention efforts aimed at very young children and to provide early treatment for drug and alcohol abuse by young people—to stop the terrible cycle of substance abuse—especially alcohol abuse that exists on so many American Indian reservations. It is startling to note that according to a study released in February 1992, on the state of native American youth health conducted by Dr. Robert W. Blum of the University of Minnesota Hospital and Clinic, by 12th grade, 27 percent of native American males surveyed were heavy users of alcohol.

The legislation we are now considering reauthorizes the establishment of these adolescent treatment centers. While adolescents in each service area are currently receiving treatment, regrettably only about half of the service areas have established treatment centers. The other areas are either in the process of creating centers or using contract care to provide service to these youth. The legislation before us today properly encourages IHS and the areas providing contract care to establish their own regional centers. In addition, the legislation provides funds to develop outpatient care for family members of the person receiving treatment.

For decades, researchers have documented the use and consequences of alcohol and drug abuse among Native Americans. Inevitably, stereotypes developed about Indian drinking, although the phenomenon began with the introduction of alcohol by early European explorers, who brought whiskey, horses, guns, and tools for trading purposes. While the reasons leading to such high rates of alcohol and drug abuse among Indian people are complex, most Indian and non-Indian researchers alike point to joblessness, dislocation from tribal homelands, decline in traditional culture and spirituality, and stresses on the family unit, as being among the major causes of alcohol and drug abuse. Clearly many things need to be done to fight this insidious problem.

Alcohol-related illnesses and deaths among Indian people are considerably higher than among non-Indian people. For example, on many reservations, alcohol plays a role in 95 percent of automobile fatalities. On some reservations, fetal alcohol syndrome [FAS] occurs as frequently as 1 in 100 births, whereas its occurrence in non-Indian populations is approximately 1 in 700 births. I want my colleagues to know that native American infants are 20 times more likely to be born with fetal alcohol syndrome than other U.S. infants. As we now know the children born to alcohol-abusing mothers are frequently retarded, and a great many suffer facial abnormalities and abnormalities of the extremities. In addition, delays in physical growth and impairment of the central nervous system are common among children with FAS.

A few years ago, this Member visited a school on an Indian reservation. According to the school superintendent, 30 children out of a special education population of 140, mentally or physically handicapped, were victims of fetal alcohol syndrome. This special education population of 140 was found in a total population of 440 children. Retardation, and physical handicaps are 8 to 10 times higher on some Indian reservations than the national average.

In addition, at the time of my visit, the superintendent estimated that there were many, many more children in the school suffering from this fetal alcohol syndrome or fetal alcohol effect who had not yet been accurately diagnosed. This means that almost certainly at least 25 percent of the special education students in that school were suffering from a condition, that with alcoholism prevention and prenatal education, could have been prevented. More recently, the superintendent of that same school made the absolutely shocking statement that perhaps as many as one out of three babies born on the reservation had either fetal alcohol syndrome or fetal alcohol effect. Currently, over one-third of the children in

the school are enrolled in special education programs, and most are victims of FAS or FAE. Tragically, too, this problem is only getting worse.

In addition, it must be noted that it is very difficult to diagnose fetal alcohol effect. The children are normal in appearance and until they begin school, the results of FAE are not seen, because it effects their capacity for reasoning. Many FAE children will never read above a third or fourth grade level, will not be able to perform simple math functions, and will eventually drop out of school.

For all of these children, their life prospects become very bleak. A great many Indian communities where so many Indian children live are losing the battle against alcohol and drug abuse. They are losing their hopes and dreams for a better future for they are losing the productive, healthy lives of their children.

Madam Chairman, this legislation, H.R. 3724, includes provisions a fetal alcohol syndrome prevention measure sponsored by the distinguished gentlemen from Colorado [Mr. CAMPBELL]. It authorizes the Secretary of Health and Human Services to make grants for community training, education and prevention programs for FAS and FAE. This Member strongly and enthusiastically supports these provisions.

Madam Chairman, and colleagues, there is an urgent need to effectively combat fetal alcohol syndrome and fetal alcohol effect on a broad scale across this country especially among the native American population where it is such a common problem. This effort must be a national priority for this disease reaps tragic, irreversible consequences on its innocent and helpless victims. This human tragedy can be prevented with the health and education programs created or reauthorized by this legislation.

Madam Chairman, this Member strongly encourages his colleagues to support this legislation.

Mr. CAMPBELL of Colorado. Madam Chairman, I rise to voice my support of H.R. 3724, the Indian Health Amendments of 1992. I would also urge my colleagues to support all amendments that will be offered today. The reauthorization of this important piece of legislation will ensure the continued support for Indian health care services to all native Americans, residing on reservations and in large urban areas, until the year 2000.

This legislation incorporates 59 health status objectives developed by the U.S. Department of Health and Human Services that serve two primary goals. First, they will provide a measuring device for comparing the current health status of native Americans to their health status in the year 2000. Second, the objectives will serve to provide valuable resource data for the Indian health care improvement fund.

Currently all statistics show that the native American population is the most at risk group in the country, suffering from the highest mortality rate of all population groups in the United States and facing alcohol, diabetes, tuberculosis, and suicide rates much higher than the national average. The Indian health amendments before us today incorporate legislation I have introduced this Congress that address the high occurrence of fetal alcohol syndrome in native American infants, who are 20 times more likely to be born with fetal alcohol syndrome than other U.S. Infants.

Although native Americans represent the smallest population group in the United States, the resources needed to effectively address the plethora of health issues are among the greatest. With the passage of the Snyder Act in 1921, Congress formally obligated itself to provide quality health care to the native American population and should make a concerted effort this day to uphold that trust responsibility.

In spite of the circumstances that native American communities are facing, there is hope. For example UNITY [the United National Indian Tribal Youth, Inc.], a national organization comprised of 45 native American youth councils, has designated sobriety and heritage as key paths in the "Journey to the 2000." It is groups like this that will propel a renewed generation of Indian people toward a healthier tomorrow.

Again, I would urge my colleagues to support passage of H.R. 3724, the Indian Health Amendments of 1992 and to further support all amendments to be offered.

Mr. THOMAS of Wyoming. Madam Chairman, as chairman of the newly formed Indian Health Care Task Force for the Rural Health Care Coalition, I am pleased to support the Indian health amendments bill, and thank both Chairman MILLER and Chairman WAXMAN for moving it forward. Today's vote brings this bill's admirable goal—to raise the health status of the native American population—within reach.

There are many worthwhile components of this bill, especially in the area of substance abuse. I want to thank Chairman MILLER and my colleagues for agreeing to include authorization language for the Thunder Child Residential Treatment Center in Sheridan, WY. It is the first, and to date, the only multitribal effort to combat the debilitating impact of alcohol and substance abuse in the Indian Health Service Billings area. I am also pleased with the provision to provide demonstration grants to tribal and eligible community colleges for the training of substance abuse counselors.

While there are worthwhile provisions, such as educational opportunities for health professionals, there seems to be a feeling that additional funding and increased Federal control is the answer to reducing poverty rates, diabetes and other health-related diseases. I am, however, more interested in improving the efficiency of IHS services through local control rather than expanding Federal bureaucracy.

There are some overwhelming objectives in this bill—some can expect funding and some cannot—but whatever the intention, we need to continue our goal at making services more accessible on a cost containment basis. Today's vote will help us move toward that goal so we may raise the health status of American Indians and Alaska Natives from fiscal year 1993 and beyond.

□ 1320

Mr. WAXMAN. Madam Chairman, I have no further requests for time, and I yield back the balance of my time.

Mr. RHODES. Madam Chairman, I yield back the balance of my time.

Mr. MILLER of California. Madam Chairman, I yield back the balance of my time.

Mr. DANNEMEYER. Madam Chairman, I yield back the balance of my time.

The CHAIRMAN. All time for general debate has expired.

Pursuant to the rule, the amendment in the nature of a substitute consisting of the text of the bill H.R. 5752 shall be considered by titles as an original bill for the purpose of amendment and each title is considered as read.

The Clerk will designate section 1.

Mr. MILLER of California. Madam Chairman, I ask unanimous consent that the amendment in the nature of a substitute consisting of the text of H.R. 5752 be printed in the RECORD and open to amendment at any point.

The CHAIRMAN. Is there objection to the request of the gentleman from California?

There was no objection.

The text of the amendment in the nature of a substitute is as follows:

H.R. 5752

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

SECTION 1. SHORT TITLE.

This Act may be cited as the "Indian Health Amendments of 1992".

SEC. 2. AMENDMENTS TO INDIAN HEALTH CARE IMPROVEMENT ACT.

Except as otherwise specifically provided, whenever in this Act a section or other provision is amended or repealed, such amendment or repeal shall be considered to be made to that section or other provision of the Indian Health Care Improvement Act (25 U.S.C. 1601 et seq.).

SEC. 3. FINDINGS; POLICY; AND DEFINITIONS.

(a) FINDINGS.—Section 2 of the Act (25 U.S.C. 1601) is amended—

(1) in paragraph (d), by striking out the second sentence; and

(2) by striking out paragraphs (e), (f), and (g).

(b) DECLARATION OF POLICY.—Section 3 of the Act (25 U.S.C. 1602) is amended to read as follows:

"DECLARATION OF HEALTH OBJECTIVES

"SEC. 3. (a) The Congress hereby declares that it is the policy of this Nation, in fulfillment of its special responsibilities and legal obligation to the American Indian people, to assure the highest possible health status for Indians and urban Indians and to provide all resources necessary to effect that policy.

"(b) It is the intent of the Congress that the Nation meet the following health status objectives with respect to Indians and urban Indians by the year 2000:

"(1) Reduce coronary heart disease deaths to a level of no more than 100 per 100,000.

"(2) Reduce the prevalence of overweight individuals to no more than 30 percent.

"(3) Reduce the prevalence of anemia to less than 10 percent among children aged 1 through 5.

"(4) Reduce the level of cancer deaths to a rate of no more than 130 per 100,000.

"(5) Reduce the level of lung cancer deaths to a rate of no more than 42 per 100,000.

"(6) Reduce the level of chronic obstructive pulmonary disease related deaths to a rate of no more than 25 per 100,000.

"(7) Reduce deaths among men caused by alcohol-related motor vehicle crashes to no more than 44.8 per 100,000.

"(8) Reduce cirrhosis deaths to no more than 13 per 100,000.

"(9) Reduce drug-related deaths to no more than 3 per 100,000.

"(10) Reduce pregnancies among girls aged 17 and younger to no more than 50 per 1,000 adolescents.

"(11) Reduce suicide among men to no more than 12.8 per 100,000.

"(12) Reduce by 15 percent the incidence of injurious suicide attempts among adolescents aged 14 through 17.

"(13) Reduce to less than 10 percent the prevalence of mental disorders among children and adolescents.

"(14) Reduce the incidence of child abuse or neglect to less than 25.2 per 1,000 children under age 18.

"(15) Reduce physical abuse directed at women by male partners to no more than 27 per 1,000 couples.

"(16) Increase years of healthy life to at least 65 years.

"(17) Reduce deaths caused by unintentional injuries to no more than 66.1 per 100,000.

"(18) Reduce deaths caused by motor vehicle crashes to no more than 39.2 per 100,000.

"(19) Among children aged 6 months through 5 years, reduce the prevalence of blood lead levels exceeding 15 ug/dL and reduce to zero the prevalence of blood lead levels exceeding 25 ug/dl.

"(20) Reduce dental caries (cavities) so that the proportion of children with one or more caries (in permanent or primary teeth) is no more than 45 percent among children aged 6 through 8 and no more than 70 percent among adolescents aged 15.

"(21) Reduce untreated dental caries so that the proportion of children with untreated caries (in permanent or primary teeth) is no more than 35 percent among children aged 6 through 8 and no more than 40 percent among adolescents aged 15.

"(22) Reduce to no more than 20 percent the proportion of individuals aged 65 and older who have lost all of their natural teeth.

"(23) Reduce the prevalence of gingivitis aged 35–44 to no more than 50 percent.

"(24) Reduce the infant mortality rate to no more than 8.5 per 1,000 live births.

"(25) Reduce the fetal death rate (20 or more weeks of gestation) to no more than 4 per 1,000 live births plus fetal deaths.

"(26) Reduce the maternal mortality rate to no more than 3.3 per 100,000 live births.

"(27) Reduce the incidence of fetal alcohol syndrome to no more than 2 per 1,000 live births.

"(28) Reduce stroke deaths to no more than 20 per 100,000.

"(29) Reverse the increase in end-stage renal disease (requiring maintenance dialysis or transplantation) to attain an incidence of no more than 13 per 100,000.

"(30) Reduce breast cancer deaths to no more than 20.6 per 100,000 women.

"(31) Reduce deaths from cancer of the uterine cervix to no more than 1.3 per 100,000 women.

"(32) Reduce colorectal cancer deaths to no more than 13.2 per 100,000.

"(33) Reduce to no more than 11 percent the proportion of individuals who experience a limitation in major activity due to chronic conditions.

"(34) Reduce significant hearing impairment to a prevalence of no more than 82 per 1,000.

"(35) Reduce significant visual impairment to a prevalence of no more than 30 per 1,000.

"(36) Reduce diabetes-related deaths to no more than 48 per 100,000.

"(37) Reduce diabetes to an incidence of no more than 2.5 per 1,000 and a prevalence of no more than 62 per 1,000.

"(38) Reduce the most severe complications of diabetes as follows:

"(A) End-stage renal disease, 1.9 per 1,000.

"(B) Blindness, 1.4 per 1,000.

"(C) Lower extremity amputation, 4.9 per 1,000.

"(D) Perinatal mortality, 2 percent.

"(E) Major congenital malformations, 4 percent.

"(39) Confine annual incidence of diagnosed AIDS cases to no more than 1,000 cases.

"(40) Confine the prevalence of HIV infection to no more than 100 per 100,000.

"(41) Reduce gonorrhea to an incidence of no more than 225 cases per 100,000.

"(42) Reduce chlamydia trachomatis infections, as measured by a decrease in the incidence of nongonococcal urethritis to no more than 170 cases per 100,000.

"(43) Reduce primary and secondary syphilis to an incidence of no more than 10 cases per 100,000.

"(44) Reduce the incidence of pelvic inflammatory disease, as measured by a reduction in hospitalization for pelvic inflammatory disease to no more than 250 per 100,000 women aged 15 through 44.

"(45) Reduce viral hepatitis B infection to no more than 40 per 100,000 cases.

"(46) Reduce indigenous cases of vaccine-preventable diseases as follows:

"(A) Diphtheria among individuals aged 25 and younger, 0.

"(B) Tetanus among individuals aged 25 and younger, 0.

"(C) Polio (wild-type virus), 0.

"(D) Measles, 0.

"(E) Rubella, 0.

"(F) Congenital Rubella Syndrome, 0.

"(G) Mumps, 500.

"(H) Pertussis, 1,000.

"(47) Reduce epidemic-related pneumonia and influenza deaths among individuals aged 65 and older to no more than 7.3 per 100,000.

"(48) Reduce the number of new carriers of viral hepatitis B among Alaska Natives to no more than 1 case.

"(49) Reduce tuberculosis to an incidence of no more than 5 cases per 100,000.

"(50) Reduce bacterial meningitis to no more than 8 cases per 100,000.

"(51) Reduce infectious diarrhea by at least 25 percent among children.

"(52) Reduce acute middle ear infections among children aged 4 and younger, as measured by days of restricted activity or school absenteeism, to no more than 105 days per 100 children.

"(53) Reduce cigarette smoking to a prevalence of no more than 20 percent.

"(54) Reduce smokeless tobacco use by Indian and Alaska Native youth to a prevalence of no more than 10 percent.

"(55) Increase to at least 65 percent the proportion of Indian and Alaska Native parents and caregivers who use feeding practices that prevent baby bottle tooth decay.

"(56) Increase to at least 75 percent the proportion of Indian and Alaska Native mothers who breast feed their babies in the early postpartum period, and to at least 50 percent the proportion who continue breast feeding until their babies are 5 to 6 months old.

"(57) Increase to at least 90 percent the proportion of pregnant Indian and Alaska Native women who receive prenatal care in the first trimester of pregnancy.

"(58) Increase to at least 70 percent the proportion of Indians and Alaska Natives who have received, as a minimum within the appropriate interval, all of the screening and immunization services and at least one of the counseling services appropriate for their age and gender as recommended by the United States Preventive Services Task Force.

"(c) It is the intent of the Congress that the Nation increase the proportion of all degrees in the health professions and allied and associated health profession fields awarded to Indians and Alaska Natives to 0.6 percent.

"(d) The Secretary shall submit to the President, for inclusion in each report required to be transmitted to the Congress under section 801, a report on the progress made in each area of the Service toward meeting each of the objectives described in subsection (b).".

(c) DEFINITIONS.—Section 4 of the Act (25 U.S.C. 1603) is amended by adding at the end the following new subsections:

"(m) 'Service area' means the geographical area served by each area office.

"(n) 'Substance abuse' includes inhalant abuse.

"(o) 'FAE' means fetal alcohol effect.

"(p) 'FAS' means fetal alcohol syndrome.".

TITLE I—INDIAN HEALTH PROFESSIONALS

SEC. 101. PURPOSE.

Section 101 of the Act (25 U.S.C. 1611) is amended to read as follows:

"PURPOSE

"SEC. 101. The purpose of this title is to increase the number of Indians entering the health professions and to assure an adequate supply of health professionals to the Service, Indian tribes, tribal organizations, and urban Indian organizations involved in the provision of health care to Indian people.".

SEC. 102. HEALTH PROFESSIONS.

(a) RECRUITMENT PROGRAM.—Section 102(a) of the Act (25 U.S.C. 1612(a)) is amended—

(1) by amending paragraph (1) to read as follows:

"(1) identifying Indians with a potential for education or training in the health professions, including family medicine, internal medicine, pediatrics, obstetrics and gynecology, podiatric medicine, nursing, dentistry, mental health, osteopathy, optometry, pharmacy, psychology, public health, social work, and environmental health and engineering, and encouraging and assisting them—

"(A) to enroll in courses of study in such professions; or

"(B) if they are not qualified to enroll in any such courses of study, to undertake such postsecondary education or training as may be required to qualify them for enrollment;";

(2) in paragraph (2)—

(A) by striking out "school" both places it appears and inserting in lieu thereof the following: "course of study"; and

(B) by striking out "clause (1)(A)" and inserting in lieu thereof the following: "paragraph (1)"; and

(3) in paragraph (3)—

(A) by striking out "Indians," and inserting in lieu thereof "Indians in,";

(B) by inserting a comma before "courses";

(C) by striking out ", in any school"; and

(D) by striking out "clause (1)(A)" and inserting in lieu thereof the following: "paragraph (1)".

(b) PREPARATORY SCHOLARSHIP PROGRAM.—Section 103 of the Act (25 U.S.C. 1613) is amended—

(1) by amending subsection (a)(2) to read as follows:

"(2) have demonstrated the capability to successfully complete courses of study in the health professions, including family medi-

cine, internal medicine, pediatrics, obstetrics and gynecology, podiatric medicine, nursing, dentistry, mental health, osteopathy, optometry, pharmacy, psychology, public health, social work, or environmental health and engineering.";

(2) in subsection (b)(1), by inserting before the period at the end the following: "on a full-time basis (or the part-time equivalent thereof, as determined by the Secretary)";

(3) by amending subsection (b)(2) to read as follows:

"(2) Pregraduate education of any grantee leading to a baccalaureate degree in an approved course of study preparatory to a field of study specified in subsection (a)(2), such scholarship not to exceed 4 years (or the part-time equivalent thereof, as determined by the Secretary).";

(4) in subsection (c), by striking out "full time"; and

(5) by amending subsection (e) to read as follows:

"(e) The Secretary shall not deny scholarship assistance to an eligible applicant under this section solely by reason of such applicant's eligibility for assistance or benefits under any other Federal program.".

(c) HEALTH PROFESSIONS SCHOLARSHIPS.—Section 104 of the Act (25 U.S.C. 1613a) is amended—

(1) in subsection (a)—

(A) by striking out "Indian communities" and inserting in lieu thereof the following: "Indians, Indian tribes, tribal organizations, and urban Indian organizations";

(B) by striking out "full time" and inserting in lieu thereof the following: "full or part time"; and

(C) by striking out "of medicine" and all that follows through "social work" and inserting in lieu thereof the following: "and pursuing courses of study in the health professions, including family medicine, internal medicine, podiatric medicine, pediatrics, obstetrics and gynecology, nursing, dentistry, mental health, osteopathy, optometry, pharmacy, psychology, public health, social work, or environmental health and engineering";

(2) in subsection (b)—

(A) in paragraph (2)—

(i) by striking out "full time" and inserting in lieu thereof "full or part time"; and

(ii) by striking out "health profession school" and inserting in lieu thereof "course of study";

(B) in paragraph (3)—

(i) by striking "(3)" and inserting "(3)(A)";

(ii) by redesignating subparagraphs (A), (B), (C), and (D) as clauses (i), (ii), (iii), and (iv), respectively; and

(iii) by inserting at the end the following new subparagraphs:

"(B) A recipient of an Indian Health Scholarship may, at the election of the recipient, meet the active duty service obligation prescribed under section 338C of the Public Health Service Act (42 U.S.C. 254m) by service in a program specified in subparagraph (A) that—

"(i) is located on the reservation of the tribe in which the recipient is enrolled; or

"(ii) serves the tribe in which the recipient is enrolled.

"(C) Subject to subparagraph (B), the Secretary, in making assignments of health professionals required to meet the active duty service obligation prescribed under section 338C of the Public Health Service Act (42 U.S.C. 254m), shall give priority to assigning individuals to service in those programs specified in subparagraph (A) that have a need for health professionals to provide health care services as a result of individuals having breached contracts entered into under this section."; and

(C) by adding at the end the following new paragraph:

"(4) In the case of an individual receiving a scholarship under this section who is enrolled part time in an approved course of study—

"(A) such scholarship shall be for a period of years not to exceed the part-time equivalent of 4 years, as determined by the Secretary;

"(B) the period of obligated service specified in section 338A(f)(1)(B)(iv) of the Public Health Service Act (42 U.S.C. 254m(f)(1)(B)(iv)) shall be equal to the greater of—

"(i) the part-time equivalent of one year for each year for which the individual was provided a scholarship (as determined by the Secretary); or

"(ii) two years; and

"(C) the amount of the monthly stipend specified in section 338A(g)(1)(B) of the Public Health Service Act (42 U.S.C. 254m(g)(1)(B)) shall be reduced pro rata (as determined by the Secretary) based on the number of hours such student is enrolled.";

(3) by amending subsection (c) to read as follows:

"(c) The Secretary shall, acting through the Service, establish a Placement Office to develop and implement a national policy for the placement, to available vacancies within the Service, of health professionals required to meet the active duty service obligation prescribed under section 338C of the Public Health Service Act (42 U.S.C. 254m) without regard to any competitive personnel system, agency personnel limitation, or Indian preference policy."; and

(4) by striking out subsection (d).

(d) EFFECTIVE DATE.—The amendments made by subsection (c)(1)(C) and subsection (c)(2)(B) shall apply with respect to scholarships granted under section 104 of the Indian Health Care Improvement Act after the date of the enactment of this Act.

(e) EXTERN PROGRAM.—Section 105 of the Act (25 U.S.C. 1614) is amended—

(1) in subsection (a), by striking out "section 757 of the Public Health Service Act" and inserting in lieu thereof "section 104"; and

(2) in subsection (b), by striking out "school of medicine" and all that follows through "health professions" and inserting in lieu thereof "course of study in the health professions, including family medicine, internal medicine, podiatric medicine, pediatrics, obstetrics and gynecology, nursing, dentistry, mental health, osteopathy, optometry, pharmacy, psychology, public health, social work, environmental health and engineering, or other health profession".

SEC. 103. BREACH OF CONTRACT PROVISIONS RELATING TO INDIAN HEALTH SCHOLARSHIPS.

Section 104(b) of the Act (25 U.S.C. 1613a(b)) (as amended by section 102(c) of this Act) is amended by adding at the end the following new paragraph:

"(5)(A) An individual who has, on or after the date of the enactment of this paragraph, entered into a written contract with the Secretary under this section and who—

"(i) fails to maintain an acceptable level of academic standing in the educational institution in which he is enrolled (such level determined by the educational institution under regulations of the Secretary),

"(ii) is dismissed from such educational institution for disciplinary reasons,

"(iii) voluntarily terminates the training in such an educational institution for which he is provided a scholarship under such contract before the completion of such training, or

"(iv) fails to accept payment, or instructs the educational institution in which he is enrolled not to accept payment, in whole or in part, of a scholarship under such contract,

in lieu of any service obligation arising under such contract, shall be liable to the United States for the amount which has been paid to him, or on his behalf, under the contract.

"(B) If for any reason not specified in subparagraph (A) an individual breaches his written contract by failing either to begin such individual's service obligation under this section or to complete such service obligation, the United States shall be entitled to recover from the individual an amount determined in accordance with the formula specified in subsection (l) of section 108 in the manner provided for in such subsection.".

SEC. 104. NURSING.

(a) CONTINUING EDUCATION ALLOWANCES.—Section 106(a) of the Act (25 U.S.C. 1615(a)) is amended by inserting "nurses," after "dentists,".

(b) TRAINING FOR NURSE MIDWIVES AND NURSE PRACTITIONERS.—Section 112 of the Act (25 U.S.C. 1616e) is amended—

(1) in subsection (b)—

(A) at the end of paragraph (4), by striking out "or";

(B) in paragraph (5), by striking out the period at the end and inserting in lieu thereof ", or"; and

(C) by adding at the end the following new paragraph:

"(6) establish and develop clinics operated by nurses, nurse midwives, or nurse practitioners to provide primary health care services to Indians.".

(2) by amending subsection (f) to read as follows:

"(f) Beginning with fiscal year 1993, of the amounts appropriated under the authority of this title for each fiscal year to be used to carry out this section, not less than $1,000,000 shall be used to provide grants under subsection (a) for the training of nurse midwives and nurse practitioners.".

(c) RETENTION BONUS FOR NURSES.—Section 117 (25 U.S.C. 1616j) of the Act is amended—

(1) by redesignating subsections (b) through (e) as subsections (c) through (f), respectively;

(2) by adding after subsection (a) the following new subsection (b):

"(b) Beginning with fiscal year 1993, not less than 25 percent of the retention bonuses awarded each year under subsection (a) shall be awarded to nurses."; and

(3) by amending subsection (f) (as amended by paragraph (1)) to read as follows:

"(f) The Secretary may pay a retention bonus to any physician or nurse employed by an organization providing health care services to Indians pursuant to a contract under the Indian Self-Determination Act if such physician or nurse is serving in a position which the Secretary determines is—

"(1) a position for which recruitment or retention is difficult; and

"(2) necessary for providing health care services to Indians.".

(d) RESIDENCY PROGRAM.—Title I of the Act is amended by adding at the end the following new section:

"NURSING RESIDENCY PROGRAM

"SEC. 118. (a) The Secretary, acting through the Service, shall establish a pro-

gram to enable licensed practical nurses, licensed vocational nurses, and registered nurses who are working in an Indian health program (as defined in section 108(a)(2)(A)), and have done so for a period of not less than one year, to pursue advanced training.

"(b) Such program shall include a combination of education and work study in an Indian health program (as defined in section 108(a)(2)(A)) leading up to an associate or bachelor's degree (in the case of a licensed practical nurse or licensed vocational nurse) or a bachelor's degree (in the case of a registered nurse).

"(c) An individual who participates in a program under subsection (a), where the educational costs are borne by the Service, shall incur an obligation to serve in an Indian health program for a period of obligated service equal to at least three times the period of time during which the individual participates in such program. In the event that the individual fails to complete such obligated service, the United States shall be entitled to recover from such individual an amount determined in accordance with the formula specified in subsection (l) of section 108 in the manner provided for in such subsection.".

SEC. 105. MAINTENANCE OF COMMUNITY HEALTH REPRESENTATIVE PROGRAM.

Section 107(b) of the Act (25 U.S.C. 1616(b)) is amended—

(1) in paragraph (2), in the material preceding subparagraph (A), by inserting "and maintain" after "develop";

(2) in paragraph (2)(B), by adding at the end the following: "with appropriate consideration given to lifestyle factors that have an impact on Indian health status, such as alcoholism, family dysfunction, and poverty,";

(3) in paragraphs (3) and (5), by striking out "develop" each place it appears and inserting in lieu thereof "maintain"; and

(4) in paragraph (4), by striking out "develop and".

SEC. 106. CHANGES TO INDIAN HEALTH SERVICE LOAN REPAYMENT PROGRAM.

(a) ELIGIBILITY REQUIREMENTS.—Section 108 of the Act (25 U.S.C. 1616a(b)) is amended—

(1) in subsection (a)(1), by striking out "physicians," and all that follows through "professionals" and inserting in lieu thereof the following: "health professionals in family medicine, internal medicine, pediatrics, obstetrics and gynecology, nursing, dentistry, mental health, osteopathy, optometry, pharmacy, psychology, public health, social work, environmental health and engineering and other health professions"; and

(2) in subsection (b)—

(A) in paragraph (1)(A)—

(i) by amending clause (i) to read as follows:

"(i) in a course of study or program in an accredited institution, as determined by the Secretary, within any State and be scheduled to complete such course of study in the same year such individual applies to participate in such program; or"; and

(ii) in clause (ii), by striking out "medicine" and all that follows through "dentistry," and inserting in lieu thereof the following: "family medicine, internal medicine, pediatrics, obstetrics and gynecology, nursing, dentistry, mental health, osteopathy, optometry, pharmacy, psychology, public health, social work, environmental health and engineering,";

(B) in paragraph (1)(B)—

(i) by inserting "and" at the end of clause (i), by striking out clause (ii), and by redesignating clause (iii) as clause (ii);

(ii) in clause (i), by striking out "medicine, osteopathy, dentistry," and inserting in lieu thereof the following: "family medicine, internal medicine, pediatrics, obstetrics and gynecology, nursing, dentistry, mental health, osteopathy, optometry, pharmacy, psychology, public health, social work, environmental health and engineering,"; and

(iii) in clause (ii) (as redesignated by clause (i) of this subparagraph), by striking out "medicine, osteopathy, dentistry," and inserting in lieu thereof the following: "family medicine, internal medicine, pediatrics, obstetrics and gynecology, nursing, dentistry, mental health, osteopathy, optometry, pharmacy, psychology, public health, social work, environmental health and engineering,"; and

(C) in paragraph (2), by inserting "and" at the end of subparagraph (D), by striking out paragraphs (3) and (4), and by inserting after paragraph (2) the following:

"(3) submit to the Secretary an application for a contract described in subsection (f).".

(b) BECOMING A PARTICIPANT.—Paragraph (1) of section 108(e) (25 U.S.C. 1616a(e)) is amended to read as follows:

"(1) An individual becomes a participant in the Loan Repayment Program only upon the Secretary and the individual entering into a written contract described in subsection (f).".

(c) EXTENSION OF OBLIGATED SERVICE.—Paragraph (2)(A) of section 108(e) (25 U.S.C. 1616a(e)) is amended by inserting before the semicolon the following: ", including extensions resulting in an aggregate period of obligated service in excess of 4 years".

(d) CLARIFICATION REGARDING UNDERGRADUATE LOANS.—Paragraph (1) of section 108(g) (25 U.S.C. 1616a(g)) is amended in the matter preceding subparagraph (A) by striking out "loans received by the individual for—" and inserting in lieu thereof "loans received by the individual regarding the undergraduate or graduate education of the individual (or both), which loans were made for—".

(e) PAYMENT.—Section 108(g)(2)(A) (25 U.S.C. 1616a(g)(2)(A)) is amended to read as follows:

"(2)(A) For each year of obligated service that an individual contracts to serve under subsection (f) the Secretary may pay up to $35,000 on behalf of the individual for loans described in paragraph (1). In making a determination of the amount to pay for a year of such service by an individual, the Secretary shall consider the extent to which each such determination—

"(i) affects the ability of the Secretary to maximize the number of contracts that can be provided under the Loan Repayment Program from the amounts appropriated for such contracts;

"(ii) provides an incentive to serve in Indian health programs with the greatest shortages of health professionals; and

"(iii) provides an incentive with respect to the health professional involved remaining in an Indian health program with such a health professional shortage, and continuing to provide primary health services, after the completion of the period of obligated service under the Loan Repayment Program.".

(f) TAX LIABILITY.—(1) Paragraph (3) of section 108(g) (25 U.S.C. 1616a(g)(3)) is amended to read as follows:

"(3) For the purpose of providing reimbursements for tax liability resulting from payments under paragraph (2) on behalf of an individual, the Secretary—

"(A) in addition to such payments, may make payments to the individual in an amount not less than 20 percent and not more than 39 percent of the total amount of loan repayments made for the taxable year involved; and

"(B) may make such additional payments as the Secretary determines to be appropriate with respect to such purpose.".

(2) The amendment made by paragraph (1) shall apply only with respect to contracts under section 108 of the Indian Health Care Improvement Act entered into on or after the date of enactment of this Act.

(g) STAFFING NEEDS.—Section 108(k) (25 U.S.C. 1616a(k)) is amended to read as follows:

"(k) The Secretary, in assigning individuals to serve in Indian health programs pursuant to contracts entered into under this section, shall—

"(1) ensure that the staffing needs of Indian health programs administered by any Indian tribe or tribal or health organization receive consideration on an equal basis with programs that are administered directly by the Service; and

"(2) give priority to assigning individuals to Indian health programs that have a need for health professionals to provide health care services as a result of individuals having breached contracts entered into under this section.".

(h) ANNUAL REPORT.—Subsection (n) of section 108 is amended to read as follows:

"(n) The Secretary shall submit to the President, for inclusion in each report required to be submitted to the Congress under section 801, a report concerning the previous fiscal year which sets forth—

"(1) the health professional positions maintained by the Service or by tribal or Indian organizations for which recruitment or retention is difficult;

"(2) the number of Loan Repayment Program applications filed with respect to each type of health profession;

"(3) the number of contracts described in subsection (f) that are entered into with respect to each health profession;

"(4) the amount of loan payments made under this section, in total and by health profession;

"(5) the number of scholarship grants that are provided under section 104 with respect to each health profession;

"(6) the amount of scholarship grants provided under section 104, in total and by health profession;

"(7) the number of providers of health care that will be needed by Indian health programs, by location and profession, during the three fiscal years beginning after the date the report is filed; and

"(8) the measures the Secretary plans to take to fill the health professional positions maintained by the Service or by tribes or tribal or Indian organizations for which recruitment or retention is difficult.".

SEC. 107. RECRUITMENT ACTIVITIES.

Section 109 of the Act (25 U.S.C. 1616b) is amended—

(1) by amending the heading to read as follows: "RECRUITMENT ACTIVITIES"; and

(2) by amending subsection (b) to read as follows:

"(b) The Secretary, acting through the Service, shall assign one individual in each area office to be responsible on a full-time basis for recruitment activities.".

SEC. 108. ADVANCED TRAINING AND RESEARCH.

Section 111 of the Act (25 U.S.C. 1616d) is amended—

(1) in subsection (b), by amending the last sentence to read as follows: "In such event, with respect to individuals entering the program after the date of the enactment of the

Indian Health Amendments of 1992, the United States shall be entitled to recover from such individual an amount to be determined in accordance with the formula specified in subsection (1) of section 108 in the manner provided for in such subsection."; and

(2) by striking out subsection (d).

SEC. 109. INMED PROGRAM.

Section 114(b) of the Act (25 U.S.C. 1616g(b)) is amended—

(1) by striking out "(b)" and inserting in lieu thereof "(b)(1)"; and

(2) by adding at the end the following new paragraphs:

"(2) The Secretary shall provide one of the grants authorized under subsection (a) to a college or university to establish and maintain a program parallel to the INMED program for the nursing profession.

"(3) The Secretary shall provide one of the grants authorized under subsection (a) to a college or university to establish and maintain a program parallel to the INMED program for the mental health profession.".

SEC. 110. SCHOLARSHIP AND LOAN REPAYMENT RECOVERY FUND.

Title I of the Act is amended by inserting after section 108 the following new section:

"SCHOLARSHIP AND LOAN REPAYMENT RECOVERY FUND

"SEC. 108A. (a) There is established in the Treasury of the United States a fund to be known as the Indian Health Scholarship and Loan Repayment Recovery Fund (hereafter in this section referred to as the 'Fund'). The Fund shall consist of such amounts as may be appropriated to the Fund under subsection (b). Amounts appropriated for the Fund shall remain available until expended.

"(b) For each fiscal year, there is authorized to be appropriated to the Fund an amount equal to the sum of—

"(1) the amount collected during the preceding fiscal year by the Federal Government pursuant to—

"(A) the liability of individuals under subparagraph (A) or (B) of section 104(b)(5) for the breach of contracts entered into under section 104; and

"(B) the liability of individuals under section 108(1) for the breach of contracts entered into under section 108; and

"(2) the aggregate amount of interest accruing during the preceding fiscal year on obligations held in the Fund pursuant to subsection (d) and the amount of proceeds from the sale or redemption of such obligations during such fiscal year.

"(c)(1) Amounts in the Fund and available pursuant to appropriation Acts may be expended by the Secretary, acting through the Service, to make payments to an Indian tribe or tribal organization administering a health care program pursuant to a contract entered into under the Indian Self-Determination Act—

"(A) to which a scholarship recipient under section 104 or a loan repayment program participant under section 108 has been assigned to meet the obligated service requirements pursuant to sections; and

"(B) that has a need for a health professional to provide health care services as a result of such recipient or participant having breached the contract entered into under section 104 or section 108.

"(2) An Indian tribe or tribal organization receiving payments pursuant to paragraph (1) may expend the payments to recruit and employ, directly or by contract, health professionals to provide health care services.

"(d)(1) The Secretary of the Treasury shall invest such amounts of the Fund as such Secretary determines are not required to meet current withdrawals from the Fund. Such investments may be made only in interest-bearing obligations of the United States. For such purpose, such obligations may be acquired on original issue at the issue price, or by purchase of outstanding obligations at the market price.

"(2) Any obligation acquired by the Fund may be sold by the Secretary of the Treasury at the market price.".

SEC. 111. COMMUNITY HEALTH AIDE PROGRAM.

Title I of the Act (as amended by section 104 of this Act) is amended by adding at the end the following new section:

"COMMUNITY HEALTH AIDE PROGRAM FOR ALASKA

"SEC. 119. (a) Under the authority of the Act of November 2, 1921 (25 U.S.C. 13), popularly known as the Snyder Act, the Secretary shall maintain a Community Health Aide Program in Alaska under which the Service—

"(1) provides for the training of Alaska Natives as health aides;

"(2) uses such aides in the provision of health care, health promotion, and disease prevention services to Alaska Natives living in villages in rural Alaska; and

"(3) provides for the establishment of teleconferencing capacity in health clinics located in or near such villages for use by community health aides.

"(b) The Secretary, acting through the Community Health Aide Program of the Service, shall—

"(1) using trainers accredited by the Program, provide a high standard of training to community health aides to ensure that such aides provide quality health care, health promotion, and disease prevention services to the villages served by the Program;

"(2) in order to provide such training, develop a curriculum that—

"(A) combines education in the theory of health care with supervised practical experience in the provision of health care;

"(B) provides instruction and practical experience in the provision of acute care, emergency care, health promotion, disease prevention, and the efficient and effective management of clinic pharmacies, supplies, equipment, and facilities; and

"(C) promotes the achievement of the health status objectives specified in section 3(b);

"(3) establish and maintain a Community Health Aide Certification Board to certify as community health aides individuals who have successfully completed the training described in paragraph (1) or can demonstrate equivalent experience;

"(4) develop and maintain a system which identifies the needs of community health aides for continuing education in the provision of health care, including the areas described in paragraph (2)(B), and develop programs that meet the needs for such continuing education;

"(5) develop and maintain a system that provides close supervision of community health aides; and

"(6) develop a system under which the work of community health aides is reviewed and evaluated to assure the provision of quality health care, health promotion, and disease prevention services.".

SEC. 112. TRIBAL HEALTH PROGRAM ADMINISTRATION.

Title I of the Act (as amended by section 111 of this Act) is amended by adding at the end the following new section:

"TRIBAL HEALTH PROGRAM ADMINISTRATION

"SEC. 120. The Secretary shall, by contract or otherwise, provide training for individuals in the administration and planning of tribal health programs.".

SEC. 113. AUTHORIZATION OF APPROPRIATIONS.

(a) AUTHORIZATION.—Title I of the Act (as amended by section 112 of this Act) is amended by adding at the end the following new section:

"AUTHORIZATION OF APPROPRIATIONS

"SEC. 121. There are authorized to be appropriated such sums as may be necessary for each fiscal year through fiscal year 2000 to carry out this title.".

(b) CONFORMING AMENDMENTS.—Title I of the Act is amended—

(1) in section 102, by striking out subsection (c);

(2) in section 105, by striking out subsection (d);

(3) in section 106 (as amended by section 104(a) of this Act), by striking out "(a)" and by striking out subsection (b);

(4) in section 108, by striking out subsection (o);

(5) in section 110, by striking out subsection (c);

(6) in section 113, by striking out subsection (c);

(7) in section 114, by striking out subsection (e);

(8) in section 115, by striking out subsection (f); and

(9) in section 116, by striking out subsection (e).

TITLE II—HEALTH SERVICES

SEC. 201. INDIAN HEALTH CARE IMPROVEMENT FUND.

(a) IN GENERAL.—Section 201 of the Act (25 U.S.C. 1621) is amended—

(1) in subsection (a)—

(A) in the material preceding paragraph (1), by striking out "subsection (h)" and inserting in lieu thereof "this section";

(B) by amending paragraph (1) to read as follows:

"(1) eliminating the deficiencies in health status and resources of all Indian tribes,"; and

(C) in paragraph (4), in the material preceding subparagraph (A)—

(i) by inserting after "responsibilities" the following: ", either through direct or contract care or through contracts entered into pursuant to the Indian Self-Determination Act,"; and

(ii) by striking out "resources deficiency" and inserting in lieu thereof the following: "status and resource deficiencies";

(2) in subsection (b)—

(A) in paragraph (1), by striking out "subsection (h)" and inserting in lieu thereof "this section";

(B) by striking out paragraph (2) and redesignating paragraph (3) as paragraph (2); and

(C) in paragraph (2)(A) (as redesignated by subparagraph (B))—

(i) by striking out "subsection (h)" and inserting in lieu thereof "this section";

(ii) in the first sentence, by striking out "but such allocation" through "met";

(iii) in the second sentence—

(I) by striking out "(in accordance with paragraph (2))"; and

(II) by striking out "raise the deficiency level" and inserting in lieu thereof the following: "reduce the health status and resource deficiency"; and

(D) in paragraph (2)(B) (as redesignated by subparagraph (B)), by inserting after "consultation with" the following: ", and with the active participation of,";

(3) in subsection (c)—

(A) by striking out paragraph (1) and redesignating paragraphs (2), (3), and (4) as paragraphs (1), (2), and (3), respectively;

(B) by amending paragraph (1) (as redesignated by subparagraph (A) above) to read as follows:

"(1) The term 'health status and resource deficiency' means the extent to which—

"(A) the health status objectives set forth in section 3(b) are not being achieved; and

"(B) the Indian tribe does not have available to it the health resources it needs."; and

(C) in paragraph (3) (as redesignated by subparagraph (A) above)—

(i) by striking out "Under regulations, the" and inserting in lieu thereof "The"; and

(ii) by striking out "health resources deficiency level" and inserting in lieu thereof "extent of the health status and resource deficiency";

(4) in subsection (d)(1), by striking out "subsection (h)" and inserting in lieu thereof "this section";

(5) in subsection (e)—

(A) in the material preceding paragraph (1)—

(i) by striking out "60 days" and inserting in lieu thereof "3 years";

(ii) by striking out "Indian Health Care Amendments of 1988" and inserting in lieu thereof "Indian Health Amendments of 1992"; and

(iii) by striking out "health services priority system" and inserting in lieu thereof "health status and resource deficiency";

(B) in paragraph (1), by striking out "health resources deficiencies" and inserting in lieu thereof "health status and resource deficiencies";

(C) in paragraph (2), by striking out "the level of health resources deficiency for" and inserting in lieu thereof the following: "the extent of the health status and resource deficiency of";

(D) in paragraph (3), by striking "raise all" and all that follows through the semicolon and insert in lieu thereof the following: "eliminate the health status and resource deficiencies of all Indian tribes served by the Service; and"; and

(E) by striking out paragraphs (4) and (5) and redesignating paragraph (6) as paragraph (4); and

(6) in subsection (f), by striking out "(f)(1)" and all that follows through the paragraph designation for paragraph (2) and inserting in lieu thereof "(f)".

(b) EFFECTIVE DATE.—Except with respect to the amendments made by subsection (a)(5), the amendments made by subsection (a) shall take effect three years after the date of the enactment of this Act. The amendments made by subsection (a)(5) shall take effect upon the date of the enactment of this Act.

(c) TECHNICAL AMENDMENT.—The heading for section 201 of the Act (25 U.S.C. 1621) is amended to read as follows:

"INDIAN HEALTH CARE IMPROVEMENT FUND".

SEC. 202. CATASTROPHIC HEALTH EMERGENCY FUND.

Section 202 of the Act (25 U.S.C. 1621a) is amended—

(1) in subsection (a)(1)(B), by striking out "under subsection (e)" and inserting in lieu thereof "to the Fund under this section";

(2) in subsection (b)(2), by striking out "shall establish at not less than $10,000 or not more than $20,000;" and inserting in lieu thereof the following: "shall establish at—

"(A) for 1992, not less than $15,000 or not more than $25,000; and

"(B) for any subsequent year, not less than the threshold cost of the previous year increased by the percentage increase in the medical care expenditure category of the consumer price index for all urban consumers (United States city average) for the 12-month period ending with December of the previous year;"; and

(3) in subsection (c), by striking out "Funds appropriated under subsection (e)" and inserting in lieu thereof "Amounts appropriated to the Fund under this section".

SEC. 203. HEALTH PROMOTION AND DISEASE PREVENTION.

Section 203 of the Act (25 U.S.C. 1621b) is amended—

(1) in subsection (a), by inserting before the period at the end the following: "so as to achieve the health status objectives set forth in section 3(b)";

(2) in subsection (b), in the material preceding paragraph (1), by striking out "section 201(f)" and inserting in lieu thereof "section 801"; and

(3) by striking out subsection (c).

SEC. 204. DIABETES PREVENTION, TREATMENT, AND CONTROL.

Section 204 of the Act (25 U.S.C. 1621c) is amended—

(1) by amending subsection (c) to read as follows:

"(c)(1) The Secretary shall continue to maintain through fiscal year 2000 each model diabetes project in existence on the date of the enactment of the Indian Health Amendments of 1992 and located—

"(A) at the Claremore Indian Hospital in Oklahoma;

"(B) at the Fort Totten Health Center in North Dakota;

"(C) at the Sacaton Indian Hospital in Arizona;

"(D) at the Winnebago Indian Hospital in Nebraska;

"(E) at the Albuquerque Indian Hospital in New Mexico;

"(F) at the Perry, Princeton, and Old Town Health Centers in Maine;

"(G) at the Bellingham Health Center in Washington;

"(H) at the Fort Berthold Reservation;

"(I) at the Navajo Reservation;

"(J) at the Papago Reservation;

"(K) at the Zuni Reservation; or

"(L) in the States of Alaska, California, Minnesota, Montana, Oregon, or Utah.

"(2) The Secretary may establish new model diabetes projects under this section taking into consideration applications received under this section from all service areas, except that the Secretary may not establish a greater number of such projects in one service area than in any other service area until there is an equal number of such projects established with respect to all service areas from which the Secretary receives qualified applications during the application period (as determined by the Secretary).";

and

(2) in subsection (d)—

(A) in paragraph (2), by striking out "and" after the semicolon;

(B) in paragraph (3), by striking out the period and inserting in lieu thereof the following: "; and"; and

(C) by adding at the end the following new paragraph:

"(4) evaluate the effectiveness of services provided through model diabetes projects established under this section.".

SEC. 205. MENTAL HEALTH PREVENTION AND TREATMENT SERVICES.

Section 209 of the Act (25 U.S.C. 1621h) is amended—

(1) in subsection (j) (as redesignated by section 902(3)(B) of this Act), by striking out "submit to the Congress an annual report" and inserting in lieu thereof the following: "submit to the President, for inclusion in each report required to be transmitted to the Congress under section 801, a report"; and

(2) by adding at the end the following new subsections:

"(l) LICENSING REQUIREMENT FOR MENTAL HEALTH CARE WORKERS.—Any person employed as a psychologist, social worker, or marriage and family therapist for the purpose of providing mental health care services to Indians in a clinical setting under the authority of this Act or through a contract pursuant to the Indian Self-Determination Act shall—

"(1) in the case of a person employed as a psychologist, be licensed as a clinical psychologist or working under the direct supervision of a licensed clinical psychologist;

"(2) in the case of a person employed as a social worker, be licensed as a social worker or working under the direct supervision of a licensed social worker; or

"(3) in the case of a person employed as a marriage and family therapist, be licensed as a marriage and family therapist or working under the direct supervision of a licensed marriage and family therapist.

"(m) INTERMEDIATE ADOLESCENT MENTAL HEALTH SERVICES.—(1) The Secretary, acting through the Service, may make grants to Indian tribes and tribal organizations to provide intermediate mental health services to Indian children and adolescents, including—

"(A) inpatient and outpatient services;

"(B) emergency care;

"(C) suicide prevention and crisis intervention; and

"(D) prevention and treatment of mental illness, and dysfunctional and self-destructive behavior, including child abuse and family violence.

"(2) Funds provided under this subsection may be used—

"(A) to construct or renovate an existing health facility to provide intermediate mental health services;

"(B) to hire mental health professionals;

"(C) to staff, operate, and maintain an intermediate mental health facility, group home, or youth shelter where intermediate mental health services are being provided; and

"(D) to make renovations and hire appropriate staff to convert existing hospital beds into adolescent psychiatric units.

"(3) Funds provided under this subsection may not be used for the purposes described in section 216(b)(1).

"(4) An Indian tribe or tribal organization receiving a grant under this subsection shall ensure that intermediate adolescent mental health services are coordinated with other tribal, Service, and Bureau of Indian Affairs mental health, alcohol and substance abuse, and social services programs on the reservation of such tribe or tribal organization.

"(5) The Secretary shall establish criteria for the review and approval of applications for grants made pursuant to this subsection.

"(6) There are authorized to be appropriated to carry out this section $10,000,000 for fiscal year 1993 and such sums as may be necessary for each of the fiscal years 1994, 1995, 1996, 1997, 1998, 1999, and 2000.".

SEC. 206. NEW STUDIES AND DEMONSTRATION PROGRAM.

(a) HOSPICE CARE.—Title II of the Act is amended by inserting after section 204 the following:

"HOSPICE CARE FEASIBILITY STUDY

"SEC. 205. (a) The Secretary, acting through the Service and in consultation with representatives of Indian tribes, tribal organizations, Indian Health Service personnel, and hospice providers, shall conduct a study—

"(1) to assess the feasibility and desirability of furnishing hospice care to terminally ill Indians; and

"(2) to determine the most efficient and effective means of furnishing such care.

"(b) Such study shall—

"(1) assess the impact of Indian culture and beliefs concerning death and dying on the provision of hospice care to Indians;

"(2) estimate the number of Indians for whom hospice care may be appropriate and determine the geographic distribution of such individuals;

"(3) determine the most appropriate means to facilitate the participation of Indian tribes and tribal organizations in providing hospice care;

"(4) identify and evaluate various means for providing hospice care, including—

"(A) the provision of such care by the personnel of a Service hospital pursuant to a hospice program established by the Secretary at such hospital; and

"(B) the provision of such care by a community-based hospice program under contract to the Service; and

"(5) identify and assess any difficulties in furnishing such care and the actions needed to resolve such difficulties.

"(c) Not later than the date which is 12 months after the date of the enactment of this section, the Secretary shall transmit to the Congress a report containing—

"(1) a detailed description of the study conducted pursuant to this section; and

"(2) a discussion of the findings and conclusions of such study.

"(d) For the purposes of this section—

"(1) the term 'terminally ill' means any Indian who has a medical prognosis (as certified by a physician) of a life expectancy of six months or less; and

"(2) the term 'hospice program' means any program which satisfies the requirements of section 1861(dd)(2) of the Social Security Act (42 U.S.C. 1395x(dd)(2)); and

"(3) the term 'hospice care' means the items and services specified in subparagraphs (A) through (H) of section 1861(dd)(1) of the Social Security Act (42 U.S.C. 1395x(dd)(1)).".

(b) MANAGED CARE.—Title II of the Act is amended by adding at the end the following new section:

"MANAGED CARE FEASIBILITY STUDY

"SEC. 210. (a) The Secretary, acting through the Service, shall conduct a study to assess the feasibility of allowing an Indian tribe to purchase, directly or through the Service, managed care coverage in circumstances where such tribe—

"(1) does not have an inpatient hospital located on the tribal reservation; and

"(2) is not located within close proximity to a Service hospital.

"(b) Not later than the date which is 12 months after the date of the enactment of this section, the Secretary shall transmit to the Congress a report containing—

"(1) a detailed description of the study conducted pursuant to this section; and

"(2) a discussion of the findings and conclusions of such study.".

(c) CONTRACT CARE.—Title II of the Act (as amended by subsection (b) of this Act) is amended by adding at the end the following new section:

"CALIFORNIA CONTRACT HEALTH SERVICES DEMONSTRATION PROGRAM

"SEC. 211. (a) The Secretary shall establish a demonstration program to evaluate the use of a contract care intermediary to improve the accessibility of health services to California Indians.

"(b)(1) In establishing such program, the Secretary shall enter into an agreement with the California Rural Indian Health Board to reimburse the Board for costs (including reasonable administrative costs) incurred, during the period of the demonstration program, in providing medical treatment under contract to California Indians described in section 809(b) throughout the California contract health services delivery area described in section 810 with respect to high-cost contract care cases.

"(2) Not more than 5 percent of the amounts provided to the Board under this section for any fiscal year may be for reimbursement for administrative expenses incurred by the Board during such fiscal year.

"(3) No payment may be made for treatment provided under the demonstration program to the extent payment may be made for such treatment under the Catastrophic Health Emergency Fund described in section 202 or from amounts appropriated or otherwise made available to the California contract health service delivery area for a fiscal year.

"(c) There is hereby established an advisory board which shall advise the California Rural Indian Health Board in carrying out the demonstration pursuant to this section. The advisory board shall be composed of representatives, selected by the California Rural Indian Health Board, from not less than 8 tribal health programs serving California Indians covered under such demonstration, at least one half of whom are not affiliated with the California Rural Indian Health Board.

"(d) The demonstration program described in this section shall begin on January 1, 1993, and shall terminate on September 30, 1997.

"(e) Not later than July 1, 1998, the California Rural Indian Health Board shall submit to the Secretary a report on the demonstration program carried out under this section, including a statement of its findings regarding the impact of using a contract care intermediary on—

"(1) access to needed health services;

"(2) waiting periods for receiving such services; and

"(3) the efficient management of high-cost contract care cases.

"(f) For the purposes of this section, the term 'high-cost contract care cases' means those cases in which the cost of the medical treatment provided to an individual—

"(1) would otherwise be eligible for reimbursement from the Catastrophic Health Emergency Fund established under section 202, except that the cost of such treatment does not meet the threshold cost requirement established pursuant to section 202(b)(2); and

"(2) exceeds $1,000.

"(g) There are authorized to be appropriated for each of the fiscal years 1993, 1994, 1995, 1996, and 1997 such sums as may be necessary to carry out the purposes of this section.".

SEC. 207. COVERAGE OF SCREENING MAMMOGRAPHY.

(a) IN GENERAL.—Title II of the Act (as amended by section 206(c) of this Act) is amended by adding at the end the following new section:

"COVERAGE OF SCREENING MAMMOGRAPHY

"SEC. 212. The Secretary, through the Service, shall provide for screening mammography (as defined in section 1861(jj) of the Social Security Act) for Indian and urban Indian women 35 years of age or older at a frequency, determined by the Secretary (in consultation with the Director of the National Cancer Institute), appropriate to such women, and under such terms and conditions as are consistent with standards established by the Secretary to assure the safety and accuracy of screening mammography under part B of title XVIII of the Social Security Act.".

(b) CONFORMING AMENDMENT.—Section 201(a)(4)(B) of the Act (25 U.S.C. 1621(a)(4)(B)) is amended by striking the semicolon at the end and inserting the following: ", including screening mammography in accordance with section 212;".

SEC. 208. PATIENT TRAVEL COSTS.

Title II of the Act (as amended by section 207 of this Act) is amended by adding at the end the following new section:

"PATIENT TRAVEL COSTS

"SEC. 213. (a) The Secretary, acting through the Service, shall provide funds for the following patient travel costs associated with receiving health care services provided (either through direct or contract care or through contracts entered into pursuant to the Indian Self-Determination Act) under this Act—

"(1) emergency air transportation; and

"(2) nonemergency air transportation where ground transportation is infeasible.

"(b) There are authorized to be appropriated to carry out this section $15,000,000 for fiscal year 1993 and such sums as may be necessary for each of the fiscal years 1994, 1995, 1996, 1997, 1998, 1999, and 2000.".

SEC. 209. THIRD PARTY REIMBURSEMENT.

(a) RECOVERY BY INDIAN TRIBE.—Section 206 of the Act (25 U.S.C. 1621e) is amended—

(1) by inserting ", an Indian tribe, or a tribal organization" after "United States" each place it appears;

(2) in subsection (a), by inserting ", an Indian tribe, or a tribal organization" after "Service"; and

(3) in subsection (a) and subsection (e)(1)(A), by inserting ", an Indian tribe, or a tribal organization" after "Secretary" each place it appears.

(b) SPECIAL RULE WITH RESPECT TO SELF-INSURANCE PLAN.—Section 206 of the Act (25 U.S.C. 1621e) is amended—

(1) by striking "(a) The" and inserting the following: "(a) Except as provided in subsection (f), the"; and

(2) by adding at the end the following new subsection:

"(f) The United States shall not have a right of recovery under this section if the injury, illness, or disability for which health services were provided is covered under a self-insurance plan funded by an Indian tribe or tribal organization.".

SEC. 210. EPIDEMIOLOGY CENTERS.

Title II of the Act (as amended by section 208 of this Act) is amended by adding at the end the following new section:

"EPIDEMIOLOGY CENTERS

"SEC. 214. (a) The Secretary shall establish an epidemiology center in each Service area to carry out the requirements of subsection (b).

"(b) In consultation with the Service, Indian tribes, and urban Indian communities, each area epidemiology center established under this section shall—

"(1) establish a methodology to define baseline data for each of the health status objectives specified in section 3(b);

"(2) determine the most effective way to establish and maintain a surveillance system for monitoring the progress made toward meeting each of the health status objectives described in section 3(b);

"(3) evaluate existing delivery systems, data systems, and other systems that impact

the improvement of Indian health and the resources available to deliver, monitor, or evaluate those systems;

"(4) develop methods to obtain, for the purpose of assessing Indian health, data on services provided to Indians—

"(A) by the Service;

"(B) under State plans for medical assistance under title XIX of the Social Security Act;

"(C) under title XVIII of the Social Security Act;

"(D) under medical programs of the Department of Veterans Affairs; and

"(E) under private insurance systems;

"(5) assist tribes and urban Indian communities in identifying their highest priority health status objectives and the services needed to achieve such objectives, based on epidemiological data;

"(6) make recommendations for the targeting of services needed by tribal, urban, and other Indian communities;

"(7) make recommendations to improve health care delivery systems for Indians and urban Indians;

"(8) work cooperatively with tribal providers of health and social services in order to avoid duplication of existing services; and

"(9) provide technical assistance to Indian tribes and urban Indian organizations located in the service area in the development of local health service priorities and incidence and prevalence rates of disease and other illness in the community.

"(c) The director of the Centers for Disease Control shall provide technical assistance to the centers in carrying out the requirements of this section.

"(d) The Service shall assign one epidemiologist from each of its area offices to each area epidemiology center to provide such center with technical assistance necessary to carry out this section.

"(e) The Secretary shall submit to the President, for inclusion in each report required to be transmitted to the Congress under section 801, a report on the extent to which the area epidemiology centers established under this section have aided in assessing the progress made toward meeting the health status objectives specified in section 3(b).".

SEC. 211. COMPREHENSIVE SCHOOL HEALTH EDUCATION PROGRAMS.

Title II of the Act (as amended by section 210 of this Act) is amended by adding at the end the following new section:

"COMPREHENSIVE SCHOOL HEALTH EDUCATION PROGRAMS

"SEC. 215. (a) The Secretary, acting through the Service and in consultation with the Secretary of the Interior, may award grants to Indian tribes to develop comprehensive school health education programs for children from preschool through grade 12 in schools located on Indian reservations.

"(b) Grants awarded under this section may be used to—

"(1) develop health education curricula;

"(2) train teachers in comprehensive school health education curricula;

"(3) integrate school-based, community-based, and other public and private health promotion efforts;

"(4) encourage healthy, tobacco-free school environments;

"(5) coordinate school-based health programs with existing services and programs available in the community;

"(6) develop school programs on nutrition education, personal health, and fitness;

"(7) develop mental health wellness programs;

"(8) develop chronic disease prevention programs;

"(9) develop substance abuse prevention programs;

"(10) develop accident prevention and safety education programs;

"(11) develop activities for the prevention and control of communicable diseases; and

"(12) develop community and environmental health education programs.

"(c) The Secretary shall provide technical assistance to Indian tribes in the development of health education plans, and the dissemination of health education materials and information on existing health programs and resources.

"(d) The Secretary shall establish criteria for the review and approval of applications for grants made pursuant to this section.

"(e) Recipients of grants under this section shall submit to the Secretary an annual report on activities undertaken with funds provided under this section. Such reports shall include a statement of—

"(1) the number of preschools, elementary schools, and secondary schools served;

"(2) the number of students served;

"(3) any new curricula established with funds provided under this section;

"(4) the number of teachers trained in the health curricula; and

"(5) the involvement of parents, members of the community, and community health workers in programs established with funds provided under this section.

"(f)(1) The Secretary of the Interior, acting through the Bureau of Indian Affairs and in cooperation with the Secretary, shall develop a comprehensive school health education program for children from preschool through grade 12 in schools operated by the Bureau of Indian Affairs.

"(2) Such program shall include—

"(A) school programs on nutrition education, personal health, and fitness;

"(B) mental health wellness programs;

"(C) chronic disease prevention programs;

"(D) substance abuse prevention programs;

"(E) accident prevention and safety education programs; and

"(F) activities for the prevention and control of communicable diseases.

"(3) The Secretary of the Interior shall—

"(A) provide training to teachers in comprehensive school health education curricula;

"(B) ensure the integration and coordination of school-based programs with existing services and health programs available in the community; and

"(C) encourage healthy, tobacco-free school environments.

"(g) There are authorized to be appropriated to carry out this section $15,000,000 for fiscal year 1993 and such sums as may be necessary for each of the fiscal years 1994, 1995, 1996, 1997, 1998, 1999, and 2000.".

SEC. 212. INDIAN YOUTH GRANT PROGRAM.

Title II of the Act (as amended by section 211 of this Act) is amended by adding at the end the following new section:

"INDIAN YOUTH GRANT PROGRAM

"SEC. 216. (a) The Secretary, acting through the Service, is authorized to make grants to Indian tribes, tribal organizations, and urban Indian organizations for innovative mental and physical disease prevention and health promotion and treatment programs for Indian preadolescent and adolescent youths.

"(b)(1) Funds made available under this section may be used to—

"(A) develop prevention and treatment programs for Indian youth which promote mental and physical health and incorporate cultural values, community and family involvement, and traditional healers; and

"(B) develop and provide community training and education.

"(2) Funds made available under this section may not be used to provide services described in section 209(m).

"(c) The Secretary shall—

"(1) disseminate to Indian tribes information regarding models for the delivery of comprehensive health care services to Indian and urban Indian adolescents;

"(2) encourage the implementation of such models; and

"(3) at the request of an Indian tribe, provide technical assistance in the implementation of such models.

"(d) The Secretary shall establish criteria for the review and approval of applications under this section.

"(e) There are authorized to be appropriated to carry out this section $5,000,000 for fiscal year 1993 and such sums as may be necessary for each of the fiscal years 1994, 1995, 1996, 1997, 1998, 1999, and 2000.".

SEC. 213. AUTHORIZATION OF APPROPRIATIONS.

(a) AUTHORIZATION.—Title II of the Act (as amended by section 212 of this Act) is amended by adding at the end the following new section:

"AUTHORIZATION OF APPROPRIATIONS

"SEC. 217. Except as provided in sections 209(m), 211, 213, 215, and 216, there are authorized to be appropriated such sums as may be necessary for each fiscal year through fiscal year 2000 to carry out this title.".

(b) CONFORMING AMENDMENTS.—Title II of the Act is amended—

(1) in section 201(h), by striking out the first sentence and striking out "subsection" and inserting in lieu thereof "section".

(2) in section 202—

(A) by striking out subsection (e);

(B) in subsection (a)(1)(B), by striking out "under subsection (e)" and inserting "to the Fund under this section"; and

(C) in subsection (c), by striking out "Funds appropriated under subsection (e)" and inserting "Amounts appropriated to the Fund under this section";

(3) in section 204(e), by striking out the first sentence and striking out "subsection (c)" and inserting in lieu thereof "this section"; and

(4) in section 209 (as amended by section 902(3)(B) of this Act)—

(A) by striking out subsections (c)(5), (d)(6), (f)(4), and (g)(5);

(B) in subsection (h)—

(i) by striking out paragraph (2) and by striking out "(1)";

(ii) by redesignating subparagraphs (A) and (B) as paragraphs (1) and (2), respectively;

(iii) by striking out "subparagraph (A)" and inserting "paragraph (1)"; and

(iv) by striking out "subparagraph (B)" and inserting "paragraph (2)";

(C) in subsection (i), by striking out paragraph (2) and by striking out "(1)";

(D) in subsection (d)(3)(B), by striking out "this subsection" and inserting in lieu thereof "this section"; and

(E) in subsection (k)(6), by striking out the first sentence and in the second sentence by striking out "subsection" and inserting in lieu thereof "section".

TITLE III—HEALTH FACILITIES

SEC. 301. HEALTH FACILITIES CLOSURE AND PRIORITIES.

Section 301 of the Act (25 U.S.C. 1631) is amended—

(1) in subsection (b)(1)—

(A) in the material preceding subparagraph (A), by striking out "other" before "outpatient";

(B) by striking out "and" at the end of subparagraph (D);

(C) by striking out the period at the end of subparagraph (E) and inserting in lieu thereof a semicolon; and

(D) by adding at the end the following new subparagraphs:

"(F) the level of utilization of such hospital or facility by all eligible Indians; and

"(G) the distance between such hospital or facility and the nearest operating Service hospital.";

(2) by striking out subsection (c) and redesignating subsections (d) and (e) as subsections (c) and (d), respectively;

(3) in subsection (c)(1) (as redesignated by paragraph (2) of this subsection), by amending the material preceding subparagraph (A) to read as follows—

"(c)(1) The Secretary shall submit to the President, for inclusion in each report required to be transmitted to the Congress under section 801, a report which sets forth—"; and

(4) by striking out paragraph (2) of subsection (c) (as redesignated by paragraph (2)) and redesignating paragraphs (3), (4), and (5) of such subsection as paragraphs (2), (3), and (4), respectively.

SEC. 302. SAFE WATER AND SANITARY WASTE DISPOSAL FACILITIES.

Section 302 of the Act (25 U.S.C. 1632) is amended—

(1) by amending subsection (e) to read as follows:

"(e)(1) The Secretary is authorized to provide financial assistance to Indian tribes and communities in an amount equal to the Federal share of the costs of operating, managing, and maintaining the facilities provided under the plan described in subsection (c).

"(2) For the purposes of paragraph (1), the term 'Federal share' means 80 percent of the costs described in paragraph (1).

"(3) With respect to Indian tribes with fewer than 1,000 enrolled members, the non-Federal portion of the costs of operating, managing, and maintaining such facilities may be provided, in part, through cash donations or in kind property, fairly evaluated.";

(2) in subsection (f)(1), by striking out "subsection (h)" and inserting in lieu thereof "this section"; and

(3) in subsection (g)—

(A) in paragraph (1), by striking out "The Secretary" through "report" and inserting in lieu thereof the following: "The Secretary shall submit to the President, for inclusion in each report required to be transmitted to the Congress under section 801, a report"; and

(B) by striking out paragraph (2) and redesignating paragraphs (3), (4), (5), and (6) as paragraphs (2), (3), (4), and (5), respectively.

SEC. 303. AMBULATORY CARE FACILITIES GRANT PROGRAM.

Section 306 of the Act (25 U.S.C. 1636) is amended to read as follows:

"GRANT PROGRAM FOR THE CONSTRUCTION, EXPANSION, AND MODERNIZATION OF SMALL AMBULATORY CARE FACILITIES

"SEC. 306. (a)(1) The Secretary, acting through the Service, shall make grants to tribes and tribal organizations for the construction, expansion, or modernization of facilities for the provision of ambulatory care services to eligible Indians (and noneligible persons as provided in subsection (c)(1)(C)). A grant made under this section may cover up to 100 percent of the costs of such construction, expansion, or modernization. For the purposes of this section, the term 'construction' includes the replacement of an existing facility.

"(2) A grant under paragraph (1) may only be made to a tribe or tribal organization operating an Indian health facility (other than a facility owned or constructed by the Service, including a facility originally owned or constructed by the Service and transferred to a tribe or tribal organization) pursuant to a contract entered into under the Indian Self-Determination Act.

"(b)(1) A grant provided under this section may be used only for the construction, expansion, or modernization (including the planning and design of such construction, expansion, or modernization) of an ambulatory care facility—

"(A) located apart from a hospital;

"(B) not funded under section 301 or section 307; and

"(C) which, upon completion of such construction, expansion, or modernization will—

"(i) have a total capacity appropriate to its projected service population;

"(ii) serve no less than 500 eligible Indians annually; and

"(iii) provide ambulatory care in a service area (specified in the contract entered into under the Indian Self-Determination Act) with a population of not less than 2,000 eligible Indians.

"(2) The requirements of clauses (ii) and (iii) of paragraph (1)(C) shall not apply to a tribe or tribal organization applying for a grant under this section whose tribal government offices are located—

"(A) on an island; and

"(B) more than 75 miles from the tribal government offices of the nearest other Indian tribe.

"(c)(1) No grant may be made under this section unless an application for such a grant has been submitted to and approved by the Secretary. An application for a grant under this section shall be submitted in such form and manner as the Secretary shall by regulation prescribe and shall set forth reasonable assurance by the applicant that, at all times after the construction, expansion, or modernization of a facility carried out pursuant to a grant received under this section—

"(A) adequate financial support will be available for the provision of services at such facility;

"(B) such facility will be available to eligible Indians without regard to ability to pay or source of payment; and

"(C) such facility will, as feasible without diminishing the quality or quantity of services provided to eligible Indians, serve noneligible persons on a cost basis.

"(2) In awarding grants under this section, the Secretary shall give priority to tribes and tribal organizations that demonstrate—

"(A) a need for increased ambulatory care services; and

"(B) insufficient capacity to deliver such services.

"(d) If any facility (or portion thereof) with respect to which funds have been paid under this section, ceases, at any time after completion of the construction, expansion, or modernization carried out with such funds, to be utilized for the purposes of providing ambulatory care services to eligible Indians, all of the right, title, and interest in and to such facility (or portion thereof) shall transfer to the United States.".

SEC. 304. INDIAN HEALTH CARE DELIVERY DEMONSTRATION PROJECT.

(a) AWARDING OF GRANTS.—Section 307 of the Act (25 U.S.C. 1637) is amended—

(1) in subsection (a), by striking "The Secretary" and inserting "Subject to subsection (c)(3), the Secretary"; and

(2) in subsection (c)(3), by amending subparagraph (B) to read as follows:

"(B) Beginning October 1, 1994, the Secretary may enter into contracts or award grants under this section taking into consideration applications received under this section from all service areas. In entering into such contracts and awarding such grants, the Secretary shall give priority to service units identified in subparagraph (A) that meet the criteria specified in paragraph (1) and that have not received funding under this section. The Secretary may not award a greater number of such contracts or grants in one service area than in any other service area until there is an equal number of such contracts or grants awarded with respect to all service areas from which the Secretary receives applications during the application period (as determined by the Secretary) which meet the criteria specified in paragraph (1).".

(b) REPORTS.—Section 307(h) of the Act (25 U.S.C. 1637(h)) is amended to read as follows:

"(h)(1) The Secretary shall submit to the President, for inclusion in the report which is required to be submitted to the Congress under section 801 for fiscal year 1997, an interim report on the findings and conclusions derived from the demonstration projects established under this section.

"(2) The Secretary shall submit to the President, for inclusion in the report which is required to be submitted to the Congress under section 801 for fiscal year 1999, a final report on the findings and conclusions derived from the demonstration projects established under this section, together with legislative recommendations.".

SEC. 305. AUTHORIZATION OF APPROPRIATIONS.

(a) AUTHORIZATION.—Title III of the Act is amended by adding at the end the following new section:

"AUTHORIZATION OF APPROPRIATIONS

"SEC. 308. There are authorized to be appropriated such sums as may be necessary for each fiscal year through fiscal year 2000 to carry out this title.".

(b) CONFORMING AMENDMENTS.—Title III of the Act is amended—

(1) in section 302, by striking out subsection (h); and

(2) in section 307, by striking out subsection (i).

TITLE IV—ACCESS TO HEALTH SERVICES

SECTION 401. TREATMENT OF PAYMENTS TO INDIAN HEALTH SERVICE FACILITIES UNDER MEDICARE AND MEDICAID PROGRAMS.

(a) MEDICARE PROGRAM.—Section 401 of the Act (42 U.S.C. 1395qq note) is amended to read as follows:

"TREATMENT OF PAYMENTS UNDER MEDICARE PROGRAM

"SEC. 401. (a) Any payments received by a hospital or skilled nursing facility of the Service for services provided to Indians eligible for benefits under title XVIII of the Social Security Act shall not be considered in determining appropriations for health care and services to Indians.

"(b) Nothing in this Act authorizes the Secretary to provide services to an Indian beneficiary with coverage under title XVIII of the Social Security Act, as amended, in preference to an Indian beneficiary without such coverage.".

(b) MEDICAID PROGRAM.—(1) Section 402 of the Act is amended to read as follows:

"TREATMENT OF PAYMENTS UNDER MEDICAID PROGRAM

"SEC. 402. (a) Notwithstanding any other provision of law, payments to which any fa-

cility of the Service (including a hospital, nursing facility, immediate care facility for the mentally retarded, or any other type of facility which provides services for which payment is available under title XIX of the Social Security Act) is entitled under a State plan by reason of section 1911 of such Act shall be placed in a special fund to be held by the Secretary and used by him (to such extent or in such amounts as are provided in appropriation Acts) exclusively for the purpose of making any improvements in the facilities of such Service which may be necessary to achieve compliance with the applicable conditions and requirements of such title. In making payments from such fund, the Secretary shall ensure that each service unit of the Service receives at least 80 percent of the amounts to which the facilities of the Service, for which such service unit makes collections, are entitled by reason of section 1911 of the Social Security Act.

"(b) Any payments received by such facility for services provided to Indians eligible for benefits under title XIX of the Social Security Act shall not be considered in determining appropriations for the provision of health care and services to Indians.".

(2) The increase (from 50 percent) in the percentage of the payments from the fund to be made to each service unit of the Service specified in the amendment made by paragraph (1) shall take effect beginning with payments made on January 1, 1993.

SEC. 402. REPORT.

Section 403 of the Act (25 U.S.C. 1671 note) is amended by striking out "The Secretary" and all that follows through "section 701" and inserting in lieu thereof the following: "The Secretary shall submit to the President, for inclusion in the report required to be transmitted to the Congress under section 801,".

SEC. 403. GRANTS TO AND CONTRACTS WITH TRIBAL ORGANIZATIONS.

Section 404(b)(4) of the Act (25 U.S.C. 1622) is amended to read as follows:

"(4) develop and implement—

"(A) a schedule of income levels to determine the extent of payments of premiums by such organizations for coverage of needy individuals; and

"(B) methods of improving the participation of Indians in receiving the benefits provided under titles XVIII and XIX of the Social Security Act.".

SEC. 404. AUTHORIZATION OF APPROPRIATIONS.

(a) AUTHORIZATION.—Title IV of the Act is amended by adding at the end the following new section:

"AUTHORIZATION OF APPROPRIATIONS

"SEC. 406. There are authorized to be appropriated such sums as may be necessary for each fiscal year through fiscal year 2000 to carry out this title.".

(b) CONFORMING AMENDMENTS.—Section 404 of the Act is amended by striking out subsection (c).

TITLE V—HEALTH SERVICES FOR URBAN INDIANS

SEC. 501. GRANT AUTHORITY.

(a) IN GENERAL.—Section 502 of the Act (25 U.S.C. 1652) is amended—

(1) by striking "contracts with" and inserting the following: "contracts with, or make grants to,";

(2) by inserting after "enters into with" the following: ", or in any grant the Secretary makes to,"; and

(3) by amending the heading to read as follows:

"CONTRACTS WITH, AND GRANTS TO, URBAN INDIAN ORGANIZATIONS".

(b) CONFORMING AMENDMENTS.—(1) Section 503 of the Act (25 U.S.C. 1653) is amended—

(A) in subsection (a), in the material preceding paragraph (1)—

(i) by inserting ", or make grants to," after "contracts with"; and

(ii) by inserting "or grant" after "such contract";

(B) in subsection (b)—

(i) in the material preceding paragraph (1), by inserting "or receive grants" after "enter into contracts"; and

(ii) in paragraph (5), by inserting "or to meet the requirements for receiving a grant" after "Secretary";

(C) in subsection (c)(1), by inserting before the period at the end the following: "or receiving grants under subsection (a)";

(D) in subsection (d)(1), by inserting before the period at the end the following: "or receiving grants under subsection (a)";

(E) in subsection (e)(1), by inserting before the period at the end the following: "or receiving grants under subsection (a)";

(F) in subsection (f), by inserting "or receiving grants under subsection (a)" after "this section"; and

(G) by amending the heading to read as follows:

"CONTRACTS AND GRANTS FOR THE PROVISION OF HEALTH CARE AND REFERRAL SERVICES".

(2) Section 504 of the Act (25 U.S.C. 1654) is amended—

(A) by striking "SEC. 504." and all that follows through the end of subsection (a) and inserting the following:

"SEC. 504. (a) Under authority of the Act of November 2, 1921 (25 U.S.C. 13), popularly known as the Snyder Act, the Secretary, through the Service, may enter into contracts with, or make grants to, urban Indian organizations situated in urban centers for which contracts have not been entered into, or grants have not been made, under section 503. The purpose of a contract or grant made under this section shall be the determination of the matters described in subsection (b)(1) in order to assist the Secretary in assessing the health status and health care needs of urban Indians in the urban center involved and determining whether the Secretary should enter into a contract or make a grant under section 503 with respect to the urban Indian organization which the Secretary has entered into a contract with, or made a grant to, under this section.";

(B) in subsection (b)—

(i) in the material preceding paragraph (1), by inserting ", or grant made," after "contract entered into"; and

(ii) in paragraph (2), by striking "within one year" and all that follows through the period at the end and inserting the following: ", or carry out the requirements of the grant, within one year after the date on which the Secretary and such organization enter into such contract, or within one year after such organization receives such grant, whichever is applicable.";

(C) in subsection (c), by inserting ", or grant made," after "entered into"; and

(D) by amending the heading to read as follows:

"CONTRACTS AND GRANTS FOR THE DETERMINATION OF UNMET HEALTH CARE NEEDS".

(3) Section 505 of the Act (25 U.S.C. 1655) is amended—

(A) in subsection (a), by inserting "compliance with grant requirements under this title and" before "compliance with,";

(B) in subsection (b)—

(i) by inserting "or received a grant" after "entered into a contract"; and

(ii) by inserting before the period at the end the following: "or the terms of such grant";

(C) in subsection (c)—

(i) by inserting "the requirements of a grant or complied with" after "complied with";

(ii) by inserting "or grant" after "such contract" each place it appears";

(iii) by inserting "or make a grant" after "enter into a contract"; and

(iv) by inserting "or grant" after "whose contract";

(D) in subsection (d), by inserting "or grant" after "a contract" each place it appears; and

(E) by amending the heading to read as follows:

"EVALUATIONS; RENEWALS".

(4) Section 506 of the Act (25 U.S.C. 1656) is amended—

(A) in subsection (b), by inserting "or grants" after "any contracts";

(B) in subsection (d), by inserting "or grant" after "contract" each place it appears;

(C) in subsection (e)—

(i) by inserting ", or grants to," after "Contracts with"; and

(ii) by inserting "or grants" after "such contracts"; and

(D) by amending the heading to read as follows:

"OTHER CONTRACT AND GRANT REQUIREMENTS".

(5) Section 507 of the Act (25 U.S.C. 1657) is amended—

(A) in subsection (a)—

(i) in the material preceding paragraph (1), by inserting ", or a grant received," after "entered into"; and

(ii) in paragraphs (1) and (2), by inserting "or grant" after "contract" each place it appears; and

(B) in subsections (b) and (c), by inserting "or grant" after "contract" each place it appears.

(6) Section 509 of the Act (25 U.S.C. 1659) (as amended by section 902(5)(A) of this Act) is amended by inserting "or grant recipients" after "contractors" each place it appears.

SEC. 502. ALCOHOL AND SUBSTANCE ABUSE.

(a) AUTHORIZATION.—Title V of the Act is amended by inserting after section 510 (as redesignated by section 902(5)(B) of this Act) the following new section:

"GRANTS FOR ALCOHOL AND SUBSTANCE ABUSE RELATED SERVICES

"SEC. 511. (a) GRANTS.—The Secretary may make grants for the provision of health-related services in prevention of, treatment of, rehabilitation of, or school and community-based education in, alcohol and substance abuse in urban centers to those urban Indian organizations with whom the Secretary has entered into a contract under this title.

"(b) GOALS OF GRANT.—Each grant made pursuant to subsection (a) shall set forth the goals to be accomplished pursuant to the grant. The goals shall be specific to each grant as agreed to between the Secretary and the grantee.

"(c) CRITERIA.—The Secretary shall establish criteria for the grants made under subsection (a), including criteria relating to the—

"(1) size of the urban Indian population;

"(2) accessibility to, and utilization of, other health resources available to such population;

"(3) duplication of existing Service or other Federal grants or contracts;

"(4) capability of the organization to adequately perform the activities required under the grant;

"(5) satisfactory performance standards for the organization in meeting the goals set forth in such grant, which standards shall be negotiated and agreed to between the Secretary and the grantee on a grant-by-grant basis; and

"(6) identification of need for services.

"The Secretary shall develop a methodology for allocating grants made pursuant to this section based on such criteria.

"(d) TREATMENT OF FUNDS RECEIVED BY URBAN INDIAN ORGANIZATIONS.—Any funds received by an urban Indian organization under this Act for substance abuse prevention, treatment, and rehabilitation shall be subject to the criteria set forth in subsection (c).

SEC. 503. AUTHORIZATION OF APPROPRIATIONS.

(a) AUTHORIZATION.—Title V of the Act is amended by inserting after section 511 (as added by section 502 of this Act) the following new section:

"AUTHORIZATION OF APPROPRIATIONS

"SEC. 512. There are authorized to be appropriated such sums as may be necessary for each fiscal year through fiscal year 2000 to carry out this title.".

(b) CONFORMING AMENDMENTS.—Title V of the Act (25 U.S.C. 1650 et seq.) is amended—

(1) in section 503—

(A) in subsection (c), by striking out "(c)(1)" and inserting "(c)" and by striking out paragraph (2);

(B) in subsection (d), by striking out paragraph (4);

(C) in subsection (e), by striking out paragraph (4); and

(D) in subsection (f), by striking out paragraph (5); and

(2) in section 509 (as redesignated by section 902(5)(A) of this Act), by striking out the last sentence.

TITLE VI—ORGANIZATIONAL IMPROVEMENTS

SEC. 601. INDIAN HEALTH SERVICE.

Section 601(c) of the Act (15 U.S.C. 1661(c)) is amended—

(1) in paragraph (2), by striking out "and" after the semicolon;

(2) in paragraph (3), by striking out the period at the end and inserting in lieu thereof "; and"; and

(3) by adding at the end the following new paragraph:

"(4) all scholarship and loan functions carried out under title I.".

SEC. 602. AUTHORIZATION OF APPROPRIATIONS.

Title VI of the Act (25 U.S.C. 1661 et seq.) is amended by adding at the end the following new section:

"AUTHORIZATION OF APPROPRIATIONS

"SEC. 603. There are authorized to be appropriated such sums as may be necessary for each fiscal year through fiscal year 2000 to carry out this title.".

TITLE VII—SUBSTANCE ABUSE PROGRAMS

SEC. 701. REDESIGNATION OF EXISTING TITLE VII.

(a) TITLE HEADING.—Title VII of the Act (25 U.S.C. 1671 et seq.) is redesignated as title VIII and the title heading is amended to read as follows:

"TITLE VIII—MISCELLANEOUS"

(b) REDESIGNATION OF SECTIONS.—Sections 701 through 720 of the Act (25 U.S.C. 1671 et seq.) are hereby redesignated as sections 801 through 820, respectively.

(c) CONFORMING AMENDMENTS.—The Act is amended—

(1) in section 207(a), by striking out "section 713" and inserting in lieu thereof "section 813";

(2) in section 307(e), by striking out "section 713" and inserting in lieu thereof "section 813"; and

(3) in section 405(b)—

(A) in paragraph (1), by striking out "sections 402(c) and 713(b)(2)(A)" and inserting in lieu thereof "sections 402(a) and 813(b)(2)(A)"; and

(B) in paragraph (4), by striking out "section 402(c)" each place it appears and inserting in lieu thereof "section 402(a)".

(d) REFERENCES.—Any reference in a provision of law other than the Indian Health Care Improvement Act to sections redesignated by subsection (b) shall be deemed to refer to the section as so redesignated.

SEC. 702. SUBSTANCE ABUSE PROGRAMS.

(a) IN GENERAL.—The Act is amended by inserting after title VI the following new title:

"TITLE VII—SUBSTANCE ABUSE PROGRAMS

"INDIAN HEALTH SERVICE RESPONSIBILITIES

"SEC. 701. The Memorandum of Agreement entered into pursuant to section 4205 of the Indian Alcohol and Substance Abuse Prevention and Treatment Act of 1986 (25 U.S.C. 2411) shall include specific provisions pursuant to which the Service shall assume responsibility for—

"(1) the determination of the scope of the problem of alcohol and substance abuse among Indian people, including the number of Indians within the jurisdiction of the Service who are directly or indirectly affected by alcohol and substance abuse and the financial and human cost;

"(2) an assessment of the existing and needed resources necessary for the prevention of alcohol and substance abuse and the treatment of Indians affected by alcohol and substance abuse; and

"(3) an estimate of the funding necessary to adequately support a program of prevention of alcohol and substance abuse and treatment of Indians affected by alcohol and substance abuse.

"INDIAN HEALTH SERVICE PROGRAM

"SEC. 702. (a) COMPREHENSIVE PREVENTION AND TREATMENT PROGRAM.—(1) The Secretary, acting through the Service, shall provide a program of comprehensive alcohol and substance abuse prevention and treatment which shall include—

"(A) prevention, through educational intervention, in Indian communities;

"(B) acute detoxification and treatment;

"(C) community-based rehabilitation;

"(D) community education and involvement, including extensive training of health care, educational, and community-based personnel; and

"(E) residential treatment programs for pregnant and post partum women and their children.

"(2) The target population of such program shall be members of Indian tribes. Efforts to train and educate key members of the Indian community shall target employees of health, education, judicial, law enforcement, legal, and social service programs.

"(b) CONTRACT HEALTH SERVICES.—(1) The Secretary, acting through the Service, may enter into contracts with public or private providers of alcohol and substance abuse treatment services for the purpose of assisting the Service in carrying out the program required under subsection (a).

"(2) In carrying out this subsection, the Secretary shall provide assistance to Indian tribes to develop criteria for the certification of alcohol and substance abuse service providers and accreditation of service facilities which meet minimum standards for such services and facilities as may be determined pursuant to section 4205(a)(3) of the Indian Alcohol and Substance Abuse Prevention and Treatment Act of 1986 (25 U.S.C. 2411(a)(3)).

"INDIAN WOMEN TREATMENT PROGRAMS

"SEC. 703. (a) The Secretary may make grants to Indian tribes and tribal organizations to develop and implement a comprehensive alcohol and substance abuse program of prevention, intervention, treatment, and relapse prevention services that specifically addresses the cultural, historical, social, and child care needs of Indian women, regardless of age.

"(b) Grants made pursuant to this section may be used to—

"(1) develop and provide community training, education, and prevention programs for Indian women relating to alcohol and substance abuse issues, including fetal alcohol syndrome and fetal alcohol effect;

"(2) identify and provide appropriate counseling, advocacy, support, and relapse prevention to Indian women and their families; and

"(3) develop prevention and intervention models for Indian women which incorporate traditional healers, cultural values, and community and family involvement.

"(c) The Secretary shall establish criteria for the review and approval of applications for grants under this section.

"(d)(1) There are authorized to be appropriated to carry out this section $10,000,000 for fiscal year 1993 and such sums as are necessary for each of the fiscal years 1994, 1995, 1996, 1997, 1998, 1999, and 2000.

"(2) Twenty percent of the funds appropriated pursuant to this subsection shall be used to make grants to urban Indian organizations funded under title V.

"INDIAN HEALTH SERVICE YOUTH PROGRAM

"SEC. 704. (a) DETOXIFICATION AND REHABILITATION.—The Secretary shall develop and implement a program for acute detoxification and treatment for Indian youth who are alcohol and substance abusers. The program shall include regional treatment centers designed to include detoxification and rehabilitation for both sexes on a referral basis. These regional centers shall be integrated with the intake and rehabilitation programs based in the referring Indian community.

"(b) TREATMENT CENTERS OR FACILITIES.—(1) The Secretary shall construct, renovate, or, as necessary, purchase, and appropriately staff and operate, a youth regional treatment center in each area under the jurisdiction of an area office. For the purposes of this subsection, the area offices of the Service in Tucson and Phoenix, Arizona, shall be considered one area office and the area office in California shall be considered to be two area offices, one office whose jurisdiction shall be considered to encompass the northern area of the State of California, and one office whose jurisdiction shall be considered to encompass the remainder of the State of California.

"(2) For the purpose of staffing and operating such centers or facilities, funding shall be pursuant to the Act of November 2, 1921 (25 U.S.C. 13).

"(3) Notwithstanding any other provision of this title, the Secretary may, from amounts authorized to be appropriated for the purposes of carrying out this section, make funds available to—

"(A) the Tanana Chiefs Conference, Incorporated, for the purpose of leasing, constructing, renovating, operating and maintaining a residential youth treatment facility in Fairbanks, Alaska; and

"(B) the Southeast Alaska Regional Health Corporation to staff and operate a residential youth treatment facility without regard to the proviso set forth in section 4(1) of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b(1)).

"(4) A youth treatment center constructed or purchased under this subsection shall be constructed or purchased at a location within the area described in paragraph (1) agreed upon (by appropriate tribal resolution) by a majority of the tribes to be served by such center.

"(c) FEDERALLY OWNED STRUCTURES.—

"(1) The Secretary, acting through the Service, shall, in consultation with Indian tribes—

"(A) identify and use, where appropriate, federally owned structures suitable as local residential or regional alcohol and substance abuse treatment centers for Indian youth; and

"(B) establish guidelines for determining the suitability of any such federally owned structure to be used as a local residential or regional alcohol and substance abuse treatment center for Indian youth.

"(2) Any structure described in paragraph (1) may be used under such terms and conditions as may be agreed upon by the Secretary and the agency having responsibility for the structure.

"(d) REHABILITATION AND AFTERCARE SERVICES.—

"(1) The Secretary, in cooperation with the Secretary of the Interior, shall develop and implement within each Service service unit community-based rehabilitation and follow-up services for Indian youth who are alcohol or substance abusers which are designed to integrate long-term treatment and to monitor and support the Indian youth after their return to their home community.

"(2) Services under paragraph (1) shall be administered within each service unit by trained staff within the community who can assist the Indian youth in continuing development of self-image, positive problem-solving skills, and nonalcohol or substance abusing behaviors. Such staff shall include alcohol and substance abuse counselors, mental health professionals, and other health professionals and paraprofessionals, including community health representatives.

"(e) INCLUSION OF FAMILY IN YOUTH TREATMENT PROGRAM.—In providing the treatment and other services to Indian youth authorized by this section, the Secretary shall provide for the inclusion of family members of such youth in the treatment programs or other services as may be appropriate. Not less than 10 percent of the funds appropriated for the purposes of carrying out subsection (d) shall be used for outpatient care of adult family members related to the treatment of an Indian youth under that subsection.

"(f) MULTIDRUG ABUSE STUDY.—(1) The Secretary shall conduct a study to determine the incidence and prevalence of the abuse of multiple forms of drugs, including alcohol, among Indian youth residing on Indian reservations and in urban areas and the interrelationship of such abuse with the incidence of mental illness among such youth.

"(2) The Secretary shall submit a report detailing the findings of such study, together with recommendations based on such findings, to the Congress no later than two years after the date of the enactment of this section.

"TRAINING AND COMMUNITY EDUCATION

"SEC. 705. (a) COMMUNITY EDUCATION.—The Secretary, in cooperation with the Secretary of the Interior, shall develop and implement within each service unit a program of community education and involvement which shall be designed to provide concise and timely information to the community leadership of each tribal community. Such program shall include education in alcohol and substance abuse to political leaders, tribal judges, law enforcement personnel, members of tribal health and education boards, and other critical members of each tribal community.

"(b) TRAINING.—The Secretary shall, either directly or by contract, provide instruction in the area of alcohol and substance abuse, including instruction in crisis intervention and family relations in the context of alcohol and substance abuse, youth alcohol and substance abuse, and the causes and effects of fetal alcohol syndrome to appropriate employees of the Bureau of Indian Affairs and the Service, and to personnel in schools or programs operated under any contract with the Bureau of Indian Affairs or the Service, including supervisors of emergency shelters and halfway houses described in section 4213 of the Indian Alcohol and Substance Abuse Prevention and Treatment Act of 1986 (25 U.S.C. 2433).

"(c) COMMUNITY-BASED TRAINING MODELS.—In carrying out the education and training programs required by this section, the Secretary, acting through the Service and in consultation with tribes and Indian alcohol and substance abuse prevention experts, shall develop and provide community-based training models. Such models shall address—

"(1) the elevated risk of alcohol and substance abuse faced by children of alcoholics;

"(2) the cultural and multigenerational aspects of alcohol and substance abuse prevention and recovery; and

"(3) community-based and multidisciplinary strategies for preventing and treating alcohol and substance abuse.

"GALLUP ALCOHOL AND SUBSTANCE ABUSE TREATMENT CENTER

"SEC. 706. (a) GRANTS FOR RESIDENTIAL TREATMENT.—The Secretary shall make grants to the Navajo Nation for the purpose of providing residential treatment for alcohol and substance abuse for adult and adolescent members of the Navajo Nation and neighboring tribes.

"(b) PURPOSES OF GRANTS.—Grants made pursuant to this section shall (to the extent appropriations are made available) be used to—

"(1) provide at least 15 residential beds each year for adult long-term treatment, including beds for specialized services such as polydrug abusers, dual diagnosis, and specialized services for women with fetal alcohol syndrome children;

"(2) establish clinical assessment teams consisting of a clinical psychologist, a part-time addictionologist, a master's level assessment counselor, and a certified medical records technician which shall be responsible for conducting individual assessments and matching Indian clients with the appropriate available treatment;

"(3) provide at least 12 beds for an adolescent shelterbed program in the city of Gallup, New Mexico, which shall serve as a satellite facility to the Acoma/Canoncito/Laguna Hospital and the adolescent center located in Shiprock, New Mexico, for emergency crisis services, assessment, and family intervention;

"(4) develop a relapse program for the purposes of identifying sources of job training and job opportunity in the Gallup area and providing vocational training, job placement, and job retention services to recovering substance abusers; and

"(5) provide continuing education and training of treatment staff in the areas of intensive outpatient services, development of family support systems, and case management in cooperation with regional colleges, community colleges, and universities.

"(c) CONTRACT FOR RESIDENTIAL TREATMENT.—The Navajo Nation, in carrying out the purposes of this section, shall enter into a contract with an institution in the Gallup, New Mexico, area which is accredited by the Joint Commission of the Accreditation of Health Care Organizations to provide comprehensive alcohol and drug treatment as authorized in subsection (b).

"(d) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated—

"(1) to carry out the purposes of subsection (b)(1)—

"(A) $400,000 for fiscal year 1993;

"(B) $400,000 for fiscal year 1994; and

"(C) $500,000 for fiscal year 1995;

"(2) to carry out the purposes of subsection (b)(2)—

"(A) $100,000 for fiscal year 1993;

"(B) $125,000 for fiscal year 1994; and

"(C) $150,000 for fiscal year 1995;

"(3) to carry out the purposes of subsection (b)(3)—

"(A) $75,000 for fiscal year 1993;

"(B) $85,000 for fiscal year 1994; and

"(C) $100,000 for fiscal year 1995;

"(4) to carry out the purposes of subsection (b)(4), $150,000 for each of fiscal years 1993, 1994, and 1995; and

"(5) to carry out the purposes of subsection (b)(5)—

"(A) $75,000 for fiscal year 1993;

"(B) $90,000 for fiscal year 1994; and

"(C) $100,000 for fiscal year 1995.

"REPORTS

"SEC. 707. (a) COMPILATION OF DATA.—The Secretary, with respect to the administration of any health program by a service unit, directly or through contract, including a contract under the Indian Self-Determination Act, shall require the compilation of data relating to the number of cases or incidents in which any Service personnel or services were involved and which were related, either directly or indirectly, to alcohol or substance abuse. Such report shall include the type of assistance provided and the disposition of these cases.

"(b) REFERRAL OF DATA.—The data compiled under subsection (a) shall be provided annually to the affected Indian tribe and Tribal Coordinating Committee to assist them in developing or modifying a Tribal Action Plan under section 4206 of the Indian Alcohol and Substance Abuse Prevention and Treatment Act of 1986 (25 U.S.C. 2471 et seq.).

"(c) COMPREHENSIVE REPORT.—Each service unit director shall be responsible for assembling the data compiled under this section and section 4214 of the Indian Alcohol and Substance Abuse Prevention and Treatment Act of 1986 (25 U.S.C. 2434) into an annual tribal comprehensive report. Such report shall be provided to the affected tribe and to the Director of the Service who shall develop and publish a biennial national report based on such tribal comprehensive reports.

"FETAL ALCOHOL SYNDROME AND FETAL ALCOHOL EFFECT GRANTS

"SEC. 708. (a)(1) The Secretary may make grants to Indian tribes and tribal organiza-

tions to establish fetal alcohol syndrome and fetal alcohol effect programs as provided in this section for the purposes of meeting the health status objectives specified in section 3(b).

"(2) Grants made pursuant to this section shall be used to—

"(A) develop and provide community and in-school training, education, and prevention programs relating to FAS and FAE;

"(B) identify and provide alcohol and substance abuse treatment to high-risk women;

"(C) identify and provide appropriate educational and vocational support, counseling, advocacy, and information to FAS and FAE affected persons and their families or caretakers;

"(D) develop and implement counseling and support programs in schools for FAS and FAE affected children;

"(E) develop prevention and intervention models which incorporate traditional healers, cultural values and community involvement;

"(F) develop, print, and disseminate education and prevention materials on FAS and FAE; and

"(G) develop and implement, through the tribal consultation process, culturally sensitive assessment and diagnostic tools for use in tribal and urban Indian communities.

"(3) The Secretary shall establish criteria for the review and approval of applications for grants under this section.

"(b) The Secretary, acting through the Service, shall—

"(1) develop an annual plan for the prevention, intervention, treatment, and aftercare for those affected by FAS and FAE in Indian communities;

"(2) conduct a study, directly or by contract with any organization, entity, or institution of higher education with significant knowledge of FAS and FAE and Indian communities, of the special educational, vocational, school-to-work transition, and independent living needs of adolescent and adult Indians and Alaska Natives with FAS or FAE;

"(3) establish a national clearinghouse for prevention and educational materials and other information on FAS and FAE effect in Indian and Alaska Native communities and ensure access to clearinghouse materials by any Indian tribe or urban Indian organization.

"(c) The Secretary shall establish a task force to be known as the FAS/FAE Task Force to advise the Secretary in carrying out subsection (b). Such task force shall be composed of representatives from the National Institute on Drug Abuse, the National Institute on Alcohol and Alcoholism, the Office of Substance Abuse Prevention, the National Institute of Mental Health, the Service, the Office of Minority Health of the Department of Health and Human Services, the Administration for Native Americans, the Bureau of Indian Affairs, Indian tribes, tribal organizations, urban Indian communities, and Indian FAS/FAE experts.

"(d) The Secretary, acting through the Substance Abuse and Mental Health Services Administration, shall make grants to Indian tribes, tribal organizations, universities working with Indian tribes on cooperative projects, and urban Indian organizations for applied research projects which propose to elevate the understanding of methods to prevent, intervene, treat, or provide aftercare for Indians and urban Indians affected by FAS or FAE.

"(e)(1) The Secretary shall submit to the President, for inclusion in each report required to be transmitted to the Congress under section 801, a report on the status of FAS and FAE in the Indian population. Such report shall include, in addition to the information required under section (3)(d) with respect to the health status objective specified in section (3)(b)(27), the following:

"(A) The progress of implementing a uniform assessment and diagnostic methodology in Service and tribally based service delivery systems.

"(B) The incidence of FAS and FAE babies born for all births by reservation and urban-based sites.

"(C) The prevalence of FAS and FAE affected Indian persons in Indian communities, their primary means of support, and recommendations to improve the support system for these individuals and their families or caretakers.

"(D) The level of support received from the entities specified in subsection (c) in the area of FAS and FAE.

"(E) The number of inpatient and outpatient substance abuse treatment resources which are specifically designed to meet the unique needs of Indian women, and the volume of care provided to Indian women through these means.

"(F) Recommendations regarding the prevention, intervention, and appropriate vocational, educational and other support services for FAS and FAE affected individuals in Indian communities.

"(2) The Secretary may contract the production of this report to a national organization specifically addressing FAS and FAE in Indian communities.

"(f)(1) There are authorized to be appropriated to carry out this section $22,000,000 for fiscal year 1993 and such sums as may be necessary for each of the fiscal years 1994, 1995, 1996, 1997, 1998, 1999, and 2000.

"(2) Ten percent of the funds appropriated pursuant to this section shall be used to make grants to urban Indian organizations funded under title V.

"PUEBLO SUBSTANCE ABUSE TREATMENT PROJECT FOR SAN JUAN PUEBLO, NEW MEXICO

"SEC. 709. The Secretary, acting through the Service, shall continue to make grants, through fiscal year 1995, to the 8 Northern Indian Pueblos Council, San Juan Pueblo, New Mexico, for the purpose of providing substance abuse treatment services to Indians in need of such services.

"THUNDER CHILD TREATMENT CENTER

"SEC. 710. (a) The Secretary, acting through the Service, shall make a grant to the Intertribal Addictions Recovery Organization, Inc. (commonly known as the Thunder Child Treatment Center) at Sheridan, Wyoming, for the completion of construction of a multiple approach substance abuse treatment center which specializes in the treatment of alcohol and drug abuse of Indians.

"(b) For the purposes of carrying out subsection (a), there are authorized to be appropriated $2,000,000 for fiscal years 1993 and 1994. No funding shall be available for staffing or operation of this facility. None of the funding appropriated to carry out subsection (a) shall be used for administrative purposes.

"SUBSTANCE ABUSE COUNSELOR EDUCATION DEMONSTRATION PROJECT

"SEC. 711. (a) The Secretary, acting through the Service, may enter into contracts with, or make grants to, tribally controlled community colleges and eligible community colleges to establish demonstration projects to develop educational curricula for substance abuse counseling.

"(b) Funds provided under this section shall be used only for developing and providing educational curricula for substance abuse counseling (including paying salaries for instructors).

"(c) A contract entered into or a grant provided under this section shall be for a period of one year. Such contract or grant may be renewed for an additional one year period upon the approval of the Secretary.

"(d) Not later than 180 days after the date of the enactment of this section, the Secretary, after consultation with Indian tribes and administrators of tribally controlled community colleges and eligible community colleges, shall develop and issue criteria for the review and approval of applications for funding (including applications for renewals of funding) under this section. Such criteria shall ensure that demonstration projects established under this section promote the development of the capacity of tribally controlled community colleges and eligible community colleges to educate substance abuse counselors.

"(e) The Secretary shall provide such technical and other assistance as may be necessary to enable grant recipients to comply with the provisions of this section.

"(f) The Secretary shall submit to the President, for inclusion in the report which is required to be submitted under section 801 for fiscal year 1999, a report on the findings and conclusions derived from the demonstration projects conducted under this section.

"(g) For the purposes of this section, the following definitions apply:

"(1) The term 'educational curriculum' means one or more of the following:

"(A) Classroom education.

"(B) Clinical work experience.

"(C) Continuing education workshops.

"(2) The term 'eligible community college' means a community college that—

"(i) is located on or near an Indian reservation;

"(ii) has entered into a cooperative agreement with the governing body of such Indian reservation to carry out a demonstration project under this section; and

"(iii) has a student enrollment of not less than 10 percent Indian.

"(3) The term 'tribally controlled community college' has the meaning given such term in section 2(a)(4) of the Tribally Controlled Community College Assistance Act of 1978 (25 U.S.C. 1801(a)(4)).

"(h) There are authorized to be appropriated for each of the fiscal years 1993, 1994, 1995, 1996, and 1997, such sums as may be necessary to carry out the purposes of this section. Such sums shall remain available until expended.".

"AUTHORIZATION OF APPROPRIATIONS

"SEC. 712. Except as provided in sections 703, 706, 708, 710, and 711, there are authorized to be appropriated such sums as may be necessary for each fiscal year through fiscal year 2000 to carry out the provisions of this title.".

(b) REDESIGNATION AND REPEAL OF EXISTING PROVISIONS.—

(1) REDESIGNATION.—The Indian Alcohol and Substance Abuse Prevention and Treatment Act of 1986 (25 U.S.C. 2401 et seq.) is amended by redesignating section 4224 as section 4208A.

(2) REPEAL.—Part 6 of the Indian Alcohol and Substance Abuse Prevention and Treatment Act of 1986 (25 U.S.C. 2471 et seq.), as amended by paragraph (1), is hereby repealed.

SEC. 703. INDIAN ALCOHOL AND SUBSTANCE ABUSE PREVENTION AND TREATMENT ACT OF 1986 AMENDMENTS.

The Indian Alcohol and Substance Abuse Prevention and Treatment Act of 1986 (25 U.S.C. 2401 et seq.) is amended—

(1) in section 4206—

(A) in subsection (c)—

(i) in paragraph (2)—

(I) by striking "(2) the" and inserting "(B) the";

(II) by striking "(3) the" and inserting "(C) the";

(III) by striking "(4) the" and inserting "(D) the";

(IV) in subparagraph (D) (as redesignated by subclause (III)), by striking "and" at the end;

(V) in subparagraph (E), by striking the period at the end and inserting ", and"; and

(VI) by adding at the end the following new subparagraph:

"(F) an evaluation component to measure the success of efforts made."; and

(ii) by adding at the end the following new paragraph:

"(3) All Tribal Action Plans shall be updated every 2 years."; and

(B) in subsection (d), by amending paragraph (2) to read as follows:

"(2) There are authorized to be appropriated for grants under this subsection not more than $2,000,000 for fiscal year 1993 and such sums as are necessary for each of the fiscal years 1994, 1995, 1996, 1997, 1998, 1999, and 2000."; and

(C) by adding at the end the following new subsection:

"(f)(1) The Secretary of the Interior may make grants to Indian tribes adopting a resolution pursuant to subsection (a) to implement and develop community and in-school training, education, and prevention programs on alcohol and substance abuse, fetal alcohol syndrome and fetal alcohol effect.

"(2) Funds provided under this section may be used for, but are not limited to, the development and implementation of tribal programs for—

"(A) youth employment;

"(B) youth recreation;

"(C) youth cultural activities;

"(D) community awareness programs; and

"(E) community training and education programs.

"(3) There are authorized to be appropriated to carry out the provisions of this subsection $5,000,000 for fiscal year 1993 and such sums as are necessary for each of the fiscal years 1994, 1995, 1996, 1997, 1998, 1999, and 2000.";

(2) in section 4207(b), by amending paragraph (3) to read as follows:

"(3) The Assistant Secretary of the Interior for Indian Affairs shall appoint such employees to work in the Office of Alcohol and Substance Abuse, and shall provide such funding, services, and equipment as may be necessary to enable the Office of Alcohol and Substance Abuse to carry out its responsibilities.";

(3) in section 4210, by amending subsection (b) to read as follows:

"(b) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section $500,000 for fiscal year 1993 and such sums as may be necessary for each of the fiscal years 1994, 1995, 1996, 1997, 1998, 1999, and 2000.";

(4) in section 4212(a), by striking out "1989, 1990, 1991, and 1992" and inserting in lieu thereof "1993, 1994, 1995, 1996, 1997, 1998, 1999, and 2000";

(5) in section 4213(e), by amending paragraphs (1) and (2) to read as follows:

"(1) For the planning and design, construction, and renovation of, or purchase or lease of land or facilities for, emergency shelters and half-way houses to provide emergency care for Indian youth, there are authorized to be appropriated $10,000,000 for fiscal year 1993 and such sums as may be necessary for each of the fiscal years 1994, 1995, 1996, 1997, 1998, 1999, and 2000.

"(2) For the staffing and operation of emergency shelters and half-way houses, there are authorized to be appropriated $5,000,000 for fiscal year 1993 and $7,000,000 for each of the fiscal years 1994, 1995, 1996, 1997, 1998, 1999, and 2000.";

(6) in section 4216(a)(1)—

(A) in subparagraph (A), by striking "and" at the end;

(B) in subparagraph (B), by striking the period at the end and inserting ", and"; and

(C) by adding at the end the following new subparagraph:

"(C) the Makah Indian Tribe of Washington for the investigation and control of illegal narcotic traffic on the Makah Indian Reservation arising from its proximity to international waters.";

(7) by amending section 4216(a)(3) to read as follows:

"(3) For the purpose of providing the assistance required by this subsection, there are authorized to be appropriated—

"(A) $500,000 under paragraph (1)(A) for fiscal year 1993 and such sums as may be necessary for each of the fiscal years 1994, 1995, 1996, 1997, 1998, 1999, and 2000,

"(B) $500,000 under paragraph (1)(B) for fiscal year 1993 and such sums as may be necessary for each of the fiscal years 1994, 1995, 1996, 1997, 1998, 1999, and 2000, and

"(C) $500,000 under paragraph (1)(C) for fiscal year 1993 and such sums as may be necessary for each of the fiscal years 1994, 1995, 1996, 1997, 1998, 1999, and 2000.";

(8) by amending section 4216(b) to read as follows:

"(b)(1) MARIJUANA ERADICATION AND INTERDICTION.—The Secretary of the Interior, in cooperation with appropriate Federal, tribal, and State and local law enforcement agencies, shall establish and implement a program for the eradication of marijuana cultivation, and interdiction, investigation, and control of illegal narcotics trafficking within Indian country as defined in section 1152 of title 18, United States Code. The Secretary shall establish a priority for the use of funds appropriated under paragraph (2) for those Indian reservations where the scope of the problem is most critical, and such funds shall be available for contracting by Indian tribes pursuant to the Indian Self-Determination Act (25 U.S.C. 450f et seq.).

"(2) For the purpose of establishing the program required by paragraph (1), there are authorized to be appropriated $2,000,000 for fiscal year 1993 and such sums as may be necessary for each of the fiscal years 1994, 1995, 1996, 1997, 1998, 1999, and 2000.";

(9) in section 4218, by amending subsection (b) to read as follows:

"(b) AUTHORIZATION.—For the purposes of providing the training required by subsection (a), there are authorized to be appropriated $2,000,000 for fiscal year 1993 and such sums as may be necessary for each of the fiscal years 1994, 1995, 1996, 1997, 1998, 1999 and 2000."; and

(10) in section 4220(b), by amending paragraphs (1) and (2) to read as follows:

"(1) For the purpose of constructing or renovating juvenile detention centers as provided in subsection (a), there are authorized to be appropriated $10,000,000 for fiscal year 1993 and such sums as may be necessary for each of the fiscal years 1994, 1995, 1996, 1997, 1998, 1999, and 2000.

"(2) For the purpose of staffing and operating juvenile detention centers, there are authorized to be appropriated $7,000,000 for fiscal year 1993 and such sums as may be necessary for each of the fiscal years 1994, 1995, 1996, 1997, 1998, 1999, and 2000.".

TITLE VIII—MISCELLANEOUS

SEC. 801. REPORTS.

Section 801 of the Act (25 U.S.C. 1671) (as redesignated by section 701(b) of this Act) is amended to read as follows:

"REPORTS

"SEC. 801. The President shall, at the time the budget is submitted under section 1105 of title 31, United States Code, for each fiscal year transmit to the Congress a report containing—

"(1) a report on the progress made in meeting the objectives of this Act, including a review of programs established or assisted pursuant to this Act and an assessment and recommendations of additional programs or additional assistance necessary to, at a minimum, provide health services to Indians, and ensure a health status for Indians, which are at a parity with the health services available to and the health status of, the general population;

"(2) a separate statement which specifies the amount of funds requested to carry out the provisions of section 201;

"(3) a separate statement of the total amount obligated or expended in the most recently completed fiscal year to achieve each of the objectives described in section 814, relating to infant and maternal mortality and fetal alcohol syndrome;

"(4) the reports required by sections 3(d), 108(n), 203(b), 209(j), 214(e), 301(c), 302(g), 403, 708(e), and 817(a);

"(5) for fiscal year 1997, the interim report required by section 307(h)(1); and

"(6) for fiscal year 1999, the reports required by sections 307(h)(2), 711(f), and 821(g).".

SEC. 802. REGULATIONS.

Section 802 of the Act (25 U.S.C. 1672) (as redesignated by section 701(b) of this Act) is amended to read as follows:

"REGULATIONS

"SEC. 802. Prior to any revision of or amendment to rules or regulations promulgated pursuant to this Act, the Secretary shall consult with Indian tribes and appropriate national or regional Indian organizations and shall publish any proposed revision or amendment in the Federal Register not less than sixty days prior to the effective date of such revision or amendment in order to provide adequate notice to, and receive comments from, other interested parties.".

SEC. 803. EXTENSION OF TREATMENT OF ARIZONA AS A CONTRACT HEALTH SERVICE DELIVERY AREA.

Section 808 of the Act (25 U.S.C. 1678) (as redesignated by section 701(b) of this Act) is amended by striking out "1991" and inserting in lieu thereof "2000".

SEC. 804. INFANT AND MATERNAL MORTALITY; FETAL ALCOHOL SYNDROME.

Section 814 of the Act (25 U.S.C. 1680d) (as redesignated by section 701(b) of this Act) is amended—

(1) by striking out "(a)"; and

(2) by striking out subsection (b).

SEC. 805. REALLOCATION OF BASE RESOURCES.

Section 817(a) of the Act (25 U.S.C. 1680(g)) (as redesignated by section 701(b) of this Act) is amended by striking out "Secretary has

submitted to the Congress" and inserting in lieu thereof the following: "Secretary has submitted to the President, for inclusion in the report required to be transmitted to the Congress under section 801,".

SEC. 806. CHILD SEXUAL ABUSE TREATMENT PROGRAMS.

Section 819 of the Act (25 U.S.C. 1680i) (as redesignated by section 701(b) of this Act) is amended to read as follows:

"CHILD SEXUAL ABUSE TREATMENT PROGRAMS

"SEC. 819. (a) The Secretary and the Secretary of the Interior shall, for each fiscal year through fiscal year 1995, continue the demonstration programs involving treatment for child sexual abuse provided through the Hopi Tribe and the Assiniboine and Sioux Tribes of the Fort Peck Reservation.

"(b) Beginning October 1, 1995, the Secretary and the Secretary of the Interior may establish, in any service area, demonstration programs involving treatment for child sexual abuse, except that the Secretaries may not establish a greater number of such programs in one service area than in any other service area until there is an equal number of such programs established with respect to all service areas from which the Secretary receives qualified applications during the application period (as determined by the Secretary).".

SEC. 807. TRIBAL LEASING.

Section 820 of the Act (25 U.S.C. 1680j) (as redesignated by section 701(b) of this Act) is amended to read as follows:

"TRIBAL LEASING

"SEC. 820. Indian tribes providing health care services pursuant to a contract entered into under the Indian Self-Determination Act may lease permanent structures for the purpose of providing such health care services without obtaining advance approval in appropriation Acts.".

SEC. 808. EXTENSION OF TRIBAL MANAGEMENT DEMONSTRATION PROJECT TERMINATION DATE IN CERTAIN CASES.

Section 818(d) of the Act (25 U.S.C. 1680h(d)) (as redesignated by section 701(b) of this Act) is amended—

(1) in paragraph (1), by inserting before the period at the end the following: ", or, in the case of a demonstration project for which a grant is made after September 30, 1990, three years after the date on which such grant is made"; and

(2) in paragraph (2), by striking "1994" and inserting "1996".

SEC. 809. LONG-TERM CARE DEMONSTRATION PROJECT.

Title VIII of the Act (as redesignated by subsections (a) and (b) of section 701 of this Act) is amended by adding at the end the following new section:

"LONG-TERM CARE DEMONSTRATION PROJECT

"SEC. 821. (a) The Secretary, acting through the Service, is authorized to enter into contracts with, or make grants to, Indian tribes or tribal organizations providing health care services pursuant to a contract entered into under the Indian Self-Determination Act, to establish demonstration projects for the delivery of home- and community-based services to functionally disabled Indians.

"(b)(1) Funds provided for a demonstration project under this section shall be used only for the delivery of home- and community-based services (including transportation services) to functionally disabled Indians.

"(2) Such funds may not be used—

"(A) to make cash payments to functionally disabled Indians;

"(B) to provide room and board for functionally disabled Indians;

"(C) for the construction or renovation of facilities or the purchase of medical equipment; or

"(D) for the provision of nursing facility services.

"(c) Not later than 180 days after the date of the enactment of this section, the Secretary, after consultation with Indian tribes and tribal organizations, shall develop and issue criteria for the approval of applications submitted under this section. Such criteria shall ensure that demonstration projects established under this section promote the development of the capacity of tribes and tribal organizations to deliver, or arrange for the delivery of, high quality, culturally appropriate home- and community-based services to functionally disabled Indians;

"(d) The Secretary shall provide such technical and other assistance as may be necessary to enable applicants to comply with the provisions of this section.

"(e) At the discretion of the tribe or tribal organization, services provided under a demonstration project established under this section may be provided (on a cost basis) to persons otherwise ineligible for the health care benefits of the Service.

"(f) The Secretary shall establish not more than 24 demonstration projects under this section. The Secretary may not establish a greater number of demonstration projects under this section in one service area than in any other service area until there is an equal number of such demonstration projects established with respect to all service areas from which the Secretary receives applications during the application period (as determined by the Secretary) which meet the criteria issued pursuant to subsection (c).

"(g) The Secretary shall submit to the President, for inclusion in the report which is required to be submitted under section 801 for fiscal year 1999, a report on the findings and conclusions derived from the demonstration projects conducted under this section, together with legislative recommendations.

"(h) For the purposes of this section, the following definitions shall apply:

"(1) The term 'home- and community-based services' means one or more of the following:

"(A) Homemaker/home health aide services.

"(B) Chore services.

"(C) Personal care services.

"(D) Nursing care services provided outside of a nursing facility by, or under the supervision of, a registered nurse.

"(E) Respite care.

"(F) Training for family members in managing a functionally disabled individual.

"(G) Adult day care.

"(H) Such other home- and community-based services as the Secretary may approve.

"(2) The term 'functionally disabled' means an individual who is determined to require home- and community-based services based on an assessment that uses criteria (including, at the discretion of the tribe or tribal organization, activities of daily living) developed by the tribe or tribal organization.

"(i) There are authorized to be appropriated for each of the fiscal years 1993, 1994, 1995, 1996, and 1997 such sums as may be necessary to carry out this section. Such sums shall remain available until expended.".

SEC. 810. RESULTS OF DEMONSTRATION PROJECTS.

Title VIII of the Act (as redesignated by subsections (a) and (b) of section 701 and amended by section 809 of this Act) is amended by adding at the end the following new section:

"RESULTS OF DEMONSTRATION PROJECTS

"SEC. 822. The Secretary shall provide for the dissemination to Indian tribes of the findings and results of demonstration projects conducted under this Act.".

SEC. 811. AUTHORIZATION OF APPROPRIATIONS.

(a) AUTHORIZATION.—Title VIII of the Act (as redesignated by subsections (a) and (b) of section 701 and amended by section 810 of this Act) is amended by adding at the end the following new section:

"AUTHORIZATION OF APPROPRIATIONS

"SEC. 823. Except as provided in section 821, there are authorized to be appropriated such sums as may be necessary for each fiscal year through fiscal year 2000 to carry out this title.".

(b) CONFORMING AMENDMENTS.—Title VIII of the Act (25 U.S.C. 1671 et seq.) (as redesignated by subsections (a) and (b) of section 701 of this Act) is amended—

(1) in section 807 (as redesignated by section 701(b) of this Act), by striking out subsection (f); and

(2) in section 818 (as redesignated by section 701(b) of this Act), by striking out subsection (e).

SEC. 812. TRIBAL SELF-GOVERNANCE PROJECT.

The Indian Self-Determination and Education Assistance Act (25 U.S.C. 450f note) is amended—

(1) in section 301, by inserting after "Interior" the following: "and the Secretary of Health and Human Services (hereafter in this title referred to as the 'Secretaries') each";

(2) in sections 302, 303, 304, and 305, by striking "Secretary" each place it appears and inserting in lieu thereof "Secretaries";

(3) in section 303(a)(1), by inserting after "Interior" the following: "and the Indian Health Service of the Department of Health and Human Services"; and

(4) by adding after section 309 the following new section:

"SEC. 310. For the purposes of providing one year planning and negotiations grants to the Indian tribes identified by section 302, with respect to the programs, activities, functions or services of the Indian Health Service, there are authorized to be appropriated such sums as may be necessary to carry out such purposes.".

TITLE IX—TECHNICAL CORRECTIONS

SEC. 901. REPEAL OF EXPIRED REPORTING REQUIREMENTS.

The Act is amended—

(1) in section 116, by striking out subsection (d);

(2) in section 204(a)—

(A) by striking out paragraph (2);

(B) by striking out "(a)(1)" and inserting in lieu thereof "(a)";

(C) by redesignating subparagraphs (A) and (B) as paragraphs (1) and (2), respectively; and

(D) in paragraph (2) (as redesignated by subparagraph (C)), by striking out "subparagraph (A)" and inserting in lieu thereof "paragraph (1)";

(3) in section 602, by striking out subsection (a)(3); and

(4) by striking out section 803 (as redesignated by section 701(b) of this Act).

SEC. 902. OTHER TECHNICAL CORRECTIONS.

The Act is amended—

(1) in section 4(c), by striking out "sections 102, 103, and 201(c)(5)," and inserting in lieu thereof the following: "sections 102 and 103,";

(2) in title I—

(A) in section 102(b)(1), by striking ": *Provided*, That the" and inserting in lieu thereof ". The";

(B) in section 105(c), by striking out "Department of Health, Education, and Welfare" and inserting in lieu thereof "Department of Health and Human Services";

(C) in section 108(d)(1)(A), by striking out "Indian Health" and inserting in lieu thereof "Indian health"; and

(D) in section 108(i), by striking out "Service manpower programs" and inserting in lieu thereof "health professional programs of the Service".

(3) in title II—

(A) by striking out "**SEC. 209. MENTAL HEALTH PREVENTION AND TREATMENT SERVICES.**" and inserting in lieu thereof the following:

"MENTAL HEALTH PREVENTION AND TREATMENT SERVICES

"SEC. 209."; and

(B) in section 209, by redesignating subsections (c) through (l) as subsections (b) through (k), respectively;

(4) in title III—

(A) by striking out "**SEC. 307. INDIAN HEALTH CARE DELIVERY DEMONSTRATION PROJECT.**" and inserting in lieu thereof the following:

"INDIAN HEALTH CARE DELIVERY DEMONSTRATION PROJECT

"SEC. 307."; and

(B) in section 301(d) (as redesignated by section 301(2) of this Act), by striking out "sections 102 and 103(b)" and inserting in lieu thereof "section 102";

(5) in title V—

(A) by striking out "**SEC. 409. FACILITIES RENOVATION.**" and inserting in lieu thereof the following:

"FACILITIES RENOVATION

"SEC. 509."; and

(B) by striking out "**SEC. 511. URBAN HEALTH PROGRAMS BRANCH.**" and inserting in lieu thereof the following:

"URBAN HEALTH PROGRAMS BRANCH

"SEC. 510.";

(6) in section 601(c)(3)(D), by striking out "(25 U.S.C. 2005, et seq.)" and inserting in lieu thereof "(42 U.S.C. 2005 et seq.)";

(7) in section 601(d)(1)(C), by striking out "appropriate" and inserting in lieu thereof "appropriated";

(8) in section 813(b)(2)(A) (as redesignated by section 701(b) of this Act), by striking out "section 402(c)" and inserting in lieu thereof "section 402(a)"; and

(9) by amending the heading for section 816 (as redesignated by section 701(b)) to read as follows:

"INDIAN HEALTH SERVICE AND DEPARTMENT OF VETERANS AFFAIRS HEALTH FACILITIES AND SERVICES SHARING".

The CHAIRMAN. Are there any amendments to the amendment in the nature of a substitute?

AMENDMENT OFFERED BY MR. TRAFICANT

Mr. TRAFICANT. Madam Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. TRAFICANT: Page 75, after line 4, insert the following:

SEC. 306. BUY AMERICAN REQUIREMENT FOR FEDERAL AGENCIES.

(a) APPLICABILITY OF BUY AMERICAN REQUIREMENTS.—The Secretary of Health and Human Services shall ensure that the requirements of the Buy American Act apply to all procurements made with funds provided pursuant to the authorization contained in the amendment made by section 305(a).

(b) REPORTS ON PROCUREMENTS FROM FOREIGN ENTITIES.—The Department of Health and Human Services shall submit to the Congress a report on the amount of procurements from foreign entities made in fiscal years 1993 and 1994 with funds provided pursuant to an authorization contained in the amendment made by section 305(a). Such report shall separately indicate the dollar value of items procured with such funds for which the Buy American Act was waived pursuant to the Trade Agreement Act of 1979 or any international agreement to which the United States is a party.

(c) PROHIBITION OF CONTRACTS WITH PERSONS FALSELY LABELING PRODUCTS AS MADE IN AMERICA.—If it has been finally determined by a court or Federal agency that any person intentionally affixed a label bearing a "Made in America" inscription, or any inscription with the same meaning, to any product sold in or shipped to the United States that is not made in the United States, such person shall be ineligible to receive any contract or subcontract made with funds provided pursuant to an authorization contained in the amendment made by section 305(a), pursuant to the debarment, suspension, and ineligibility procedures described in sections 9.400 throOugh 9.409 of title 48, Code of Federal Regulations.

(d) DEFINITION.—For purposes of this section, the term "Buy American Act" means title III of the Act entitled "Any Act making appropriations for the Treasury and Post Office Departments for the fiscal year ending June 30, 1934, and for other purposes", approved March 3, 1933 (41 U.S.C. 10a et seq.).

Mr. TRAFICANT (during the reading). Madam Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. TRAFICANT. Madam Chairman, specifically, my amendment targets title III. It would require that moneys expended to construct, renovate, maintain, or modernize health facilities, water supply and sanitary solid waste systems and solid waste disposal systems as well as ambulatory care centers comply with our "Buy American" law, that there be a report where, in fact, there is any procurement outside of America by foreign entities, and finally, anybody having such a contract who, in fact, puts a sticker on "Made in America" where the product was not made in America would be ineligible to participate in the contracts under the bill.

Initially, I would like to commend the chairmen on their commitment to improving the quality of health care available to the native American community.

I gladly lend my support to this legislation because it is designed to improve the health status of American Indians and Alaska Natives whose health care status is substantially inferior to the U.S. population as a whole. Certainly, because of the continued mistreatment of the original people of America by the Federal Government, we should take responsibility for the betterment of their health status.

The comprehensive programs set forth in the proposed legislation demonstrates an all out assault on the health care problems of American Indians and Alaska Natives.

Specifically, my amendment targets title III of the legislation, in regard to health facilities. The legislation authorizes money for the construction and renovation of Indian Health Service [IHS] health facilities. It also authorizes the provision of safe water supply systems and sanitary sewage and solid waste disposal systems. Moreover, the bill authorizes the Secretary of HHS to make grants to tribes or tribal organizations for the construction, expansion or modernization of facilities for the provision of ambulatory care services primarily eligible to Indians.

My amendment would require that moneys expended to construct, renovate, maintain, or modernize health facilities, water supply and sanitary solid waste systems and solid waste disposal systems as well as ambulatory care centers comply with the buy American requirements.

The amendment would also require that the Department of Health and Human Services submit to Congress a report on the amount of procurements from foreign entities made in fiscal year 1993 and 1994 with funds provided pursuant to the authorization.

It also prohibits a person from receiving any contract or subcontract made with funds provided pursuant to the authorization if that person intentionally affixed a label bearing a "Made in America" inscription with the same meaning, to any product sold in or shipped to the United States that is not made in the United States.

By permitting a buy American on this legislation we act not only to promote the health status of American Indians and Alaska Natives but we also promote a buy American policy that is designed to enhance the lives of all Americans as well as the revitalization of the faltering American economy.

I would like to thank the chairman for giving me the opportunity to present my amendment. I hope that this legislation will result in the betterment of lives for American Indians and Alaska Natives.

Mr. MILLER of California. Madam Chairman, will the gentleman yield?

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

Mr. MILLER of California. Madam Chairman, we have had an opportunity to review the amendment, and we find the amendment to be acceptable to our committee.

Mr. RHODES. Madam Chairman, will the gentleman yield?

Mr. TRAFICANT. I yield to the gentleman from Arizona.

Mr. RHODES. Madam Chairman, I have had an opportunity to review the amendment. We have no problems with the amendment and accept the amendment.

Mr. TRAFICANT. Madam Chairman, I appreciate the support.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Ohio [Mr. TRAFICANT].

The amendment was agreed to.

AMENDMENT OFFERED BY MR. DANNEMEYER

Mr. DANNEMEYER. Madam Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. DANNEMEYER: Page 56, line 4, strike "(a) RECOVERY BY INDIAN TRIBE.—".

Page 56, strike line 14 and all that follows through line 2 on page 57.

Mr. DANNEMEYER. Madam Chairman, under existing law, if an Indian tribe, for example, would insure the employees of that tribe with health insurance and there would be Indians in the insurance plan as well as non-Indians and should those Indian employees then decide that in pursuit of medical care that they would go to a facility of the Indian Health Service, then under the existing law the Indian Health Service could seek reimbursement from the insurance company that the Indian tribe had contracted to bring into existence.

That is normal practice. If any of us with insurance used the facilities of a public facility, that the public facility, paid with taxpayers' dollars, does and should have the right to be paid from the insurance funds that an insured contributes to the pot. It makes sense. That is what the existing law does.

Under this bill, as it came out of the Committee on Interior and Insular Affairs, that would be changed. And it would be changed uniquely enough because, under the existing configuration of the Indian tribes of America, it would appear that it would be applicable to just one Indian tribe, the Navajos, because they—apparently—currently are the only tribe that has an insurance plan for their employees, both Indian and non-Indian.

So if this bill, in the form that it is before the House now, is adopted, the law will be modified so that if one of these Indian employees of this tribe with health insurance goes to a facility of the Indian Health Service, the Indian Health Service, paid for with taxpayers' dollars, will not be able to get reimbursed from the insurance company.

That may not be a bad idea, if you are in the business of running an Indian tribe, paying premiums for an insurance policy for health purposes. But we are here dealing with the expenditure of public funds, taxpayers' money. And it just does not seem right or fair that the effect of this law without my amendment will be to diminish the health services that are available to the very people for whom this health system exists, because bear in mind, Members, that we are appropriating a fixed sum each year to take care of the needs of the Indian Health Service.

And when the Indian Health Service is approached by Indians who utilized those services, then to that extent that facility is not available to treat other people. And when the Indian Health Service cannot seek reimbursement from the insurance company, that means they have that much less money and staff around to take care of those in that tribe who are really in need.

It is interesting to me that this bill, in the form that it is before the House and the committee that is considering it right now, was produced by a committee the majority of whom are made up of my Democrat friends who are suggesting that we need a national health insurance plan that would require every employer to have health insurance for employees in one form or another. And yet it would seem that that principle is being fractured by this bill because it really says that when that insurance policy is in existence, if an employee would, for instance, take or receive medical services from a particular facility, then there would be no right of reimbursement for the receipt of that service.

The administration is opposed to this bill without my amendment, and I would hope that the committee will adopt it, because I think it makes sense to have the existing law continue in force.

Mr. RICHARDSON. Madam Chairman, I move to strike the last word.

Madam Chairman, the provision Mr. DANNEMEYER is attempting to strip out at the request of the administration addresses a problem brought to my attention by the Navajo nation and the Alamo Navajo School Board. Specifically, the Navajo nation has had a contract with a private carrier since 1988 to provide health insurance coverage to the nation's approximately 7,000 employees who are both Indian and non-Indian.

WHAT THE NAVAJO NATION HEALTH INSURANCE POLICY COVERS

The policy covers only those employees who are ineligible for IHS services or who need health services which cannot be met by the IHS.

More importantly, the policy is paid for entirely by funds from the Navajo nation's general fund.

Furthermore, the insurance policy reimburses the IHS for all medical services provided by the IHS to non-Indian Navajo nation employees.

IHS ACTIONS

Despite these efforts, the IHS notified the Navajo nation in April 1989 that it would begin billing and collecting from the Navajo nation's health insurance policy.

RICHARDSON PROVISION

My provision simply allows the Navajo nation to use their health care policy the way it was designed, thus providing health care to those who otherwise would not have access to IHS services and providing additional health care benefits to tribal employees willing to pay extra for them.

In short, the Richardson provision clearly states that the IHS may not attempt recovery of any kind from any self-insurance plan funded by an Indian tribe or tribal organization.

NAVAJO NATION STATISTICS

The Navajo nation has many problems including a deep and abiding poverty, alcoholism, suicide, and an unemployment rate which tops the Nation, ranging from 38 to 50 percent depending upon the season.

Despite the overwhelming problems facing the Navajo nation, the nation acted as a responsible employer providing health insurnce to non-Indian employees, a population which otherwise would have no health insurance.

They did so within their means, in an effort to keep premiums affordable, tailoring the program only to those who had no access to IHS services or those who needed services IHS could not provide.

I might add that since the administration has done little to stop the skyrocketing cost of health care, you can hardly blame poverty stricken tribes from tailoring their insurance program to avoid high cost premiums.

Additionally, without the Navajo nation's actions to provide insurance for its non-Indian employees, this population would have been added to the existing 37 million Americans with no health insurance.

Quite frankly, there are many areas in which IHS is clearly inadequate including long waits, overcrowded, and old facilities, inadequate medical equipment, and lack of specialists. Why should Navajo's be any different from any other American? They want the same right to choose their doctor as every other American and they should not be prevented by the administration from getting the best care available if they are willing to pay for it.

I believe my colleague, Mr. DANNEMEYER, has neglected to factor in that the Navajo nation's initiative in this area saves the IHS a considerable amount of money, time, and effort as those tribal members who choose to obtain private health care using their private insurance are not using IHS facilities and doctors, thus greatly reducing the burden on IHS.

DANNEMEYER AMENDMENT VIOLATES U.S. TRUST RESPONSIBILITY

Finally, and most importantly, the Dannemeyer amendment reinstating the right of IHS to collect from tribal insurance policies violates the treaty agreements of 1850 and 1868 which establish the trust responsibility of the U.S. Government to our Nation's Indians to provide medical services and care to native Americans.

The fact is, native Americans are entitled to use IHS facilities and services without being charged for them.

DANNEMEYER AMENDMENT VIOLATES NAVAJO NATION SOVEREIGNTY

The Dannemeyer amendment also violates the sovereignty of the Navajo nation. As a sovereign nation, the Navajo's may exercise their right of self-government by creating and administering its own health insurance program.

We have done precious little in the way of living up to the treaties our

country entered into with this country's first Americans. We stole their land, and if we didn't steal it, we exchanged it for arid, barren and worthless property. We fail to provide minimal appropriations for education, health care, sewer and water treatment, and other social needs. By these past and present actions we continue to keep native Americans poverty stricken.

And yet when they do for themselves or pull themselves up by their bootstraps as we and the administration continue to exhort them to do, we make it all the more difficult for them by taking from those who have nothing. If we won't do anything else, the least we can do is allow the Navajo nation to fend for itself and provide health insurance to its employees.

I urge my colleagues to oppose the Dannemeyer amendment.

□ 1330

PASSING OF THE HONORABLE WALTER JONES

(Mr. ROSE asked and was given permission to speak out of order.)

Madam Chairman, I regret to inform the House of the passing of the Honorable WALTER JONES, dean of the North Carolina delegation. He served as chairman of the Committee on Merchant Marine and Fisheries since 1981, and has been a Member of Congress since February 1966. Funeral arrangements will be announced as soon as completed.

Mr. RHODES. Mr. Chairman, I move to strike the last word.

Mr. Chairman, existing law basically codifies the old insurance principle of coordination of benefits, whereby an individual who is covered by two insurance policies is covered by a policy that is considered to be primary in coverage and a policy that is considered to be secondary in coverage, and under the principle of coordination of benefits, benefits that are provided by the secondary carrier can be reimbursed and must be reimbursed to that secondary carrier by the primary carrier.

By law, we have determined that, in the case of individuals who are eligible for Indian Health Service coverage, if they also have commercial insurance by law we have determined that IHS is the secondary carrier, and therefore can recover the cost of the services provided to a covered individual from its primary carrier.

Also, under existing law, if a tribe provides benefits to its members through a self-insured plan, with no insurance coverage involved, the self-insured plan is likewise considered by law to be the primary carrier, thereby allowing the Indian Health Service to recover the costs of the services provided from that self-insured plan.

The bill as reported to the floor removes that provision, removes the provision that the IHS can recover the cost of its services from an Indian self-insured plan. This is apparently for the benefit of one tribe, the Navajo nation, and consequently really creates some inequities. It creates inequities because it differentiates between tribes which have purchased commercial insurance and whose commercial insurance will be called upon to reimburse the Indian health insurance, therefore adding to their premium burden.

It likewise creates a situation where the Navajo nation has a contractual obligation with its employees to provide them with health insurance benefits, and yet it allows the Navajo nation to have its employees receive their benefits through the Indian Health Service, and not cause any cost to the self-insurance plan of the Navajo nation.

This is unfair to other beneficiaries of the Indian Health Service, it is unfair to other tribes which have commercial insurance, and it is basically a provision being added to a law that benefits or that is for the benefit only of one native American nation.

As a consequence, I think that the provision is ill advised, and the amendment of the gentleman from California [Mr. DANNEMEYER] would restore this status quo as it exists under current law, and the amendment of the gentleman from California should be supported.

Mr. WAXMAN. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in opposition to the Dannemeyer amendment. This amendment would strike a position authorized by the gentleman from New Mexico [Mr. RICHARDSON] to protect the efforts of the Navajo nation to extend health insurance to their community. I think we ought to support the efforts of the gentleman from New Mexico. The Richardson provision was adopted by the Committee on Interior and Insular Affairs, and as a matter of comity the Committee on Energy and Commerce accepted it in a compromise.

I would urge the defeat of the Dannemeyer amendment.

Mr. MILLER of California. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I join the gentleman from California [Mr. WAXMAN] in opposition to this amendment. I think we should recognize what is happening here. That is that this is an attempt by the Indian nation to extend health care coverage to its members. What we have is the Indian Health Service, the Federal Government, coming along, seeing a pool of money that they would like to glom onto, and take that away from this effort to enhance the health service of the employees of this tribe.

□ 1340

This in fact is a health insurance policy that is designed to extend the coverage beyond what is covered by the Indian Health Service. These are not for services that are rendered by the Indian Health Service and, therefore, nonreimbursible. So you are asking the Indian Health Service to get reimbursed for programs that this insurance plan does not cover.

So it suggests between the relationship between a primary and secondary health insurance does not quite exist here because the people who are purchasing this policy and the people who are extending this policy are not extending it for the services of which the Indian people are already entitled to as a part of their membership in the Indian nation.

And so I think what we are doing here is we simply have a run on what would in any other incident be considered private money. We just have a run on that money by the Federal Government because they are seeking to be reimbursed for the cost of the Indian Health Services, an obligation which they have to extend what services they can and are recognized by the Federal Government to the Indian people. And we are not talking about a substantial amount of money. The IHS does have a small third-party collection system for ineligible members where they render service to people who do have insurance, and I think nationwide it runs about $8 million.

We are talking here about one tribe, for a select group, small group of people within that tribe that are employed by the nation and for services that are not billed. This is not a question of double coverage. This is not a question of going out and buying two insurance policies. It is a simple fact that the nation is taking the initiative to try to improve and extend the health care coverage of its employees. And I would hope that we would reject the amendment.

The CHAIRMAN pro tempore (Mr. MAZZOLI). The question is on the amendment offered by the gentleman from California [Mr. DANNEMEYER].

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

RECORDED VOTE

Mr. DANNEMEYER. Mr. Chairman, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 165, noes 199, not voting 68, as follows:

[Roll No. 391]

AYES—165

Allard	Bilbray	Clinger
Allen	Bilirakis	Coble
Archer	Bliley	Coleman (MO)
Armey	Boehner	Combest
Baker	Boucher	Condit
Ballenger	Broomfield	Coughlin
Barrett	Bunning	Cox (CA)
Barton	Burton	Crane
Bateman	Callahan	Cunningham
Bentley	Campbell (CA)	Dannemeyer
Bereuter	Carper	Davis

DeLay
Dickinson
Doolittle
Dreier
Duncan
Edwards (OK)
Edwards (TX)
Emerson
Ewing
Fawell
Fields
Fish
Franks (CT)
Gallo
Gekas
Gilchrest
Gillmor
Gilman
Gingrich
Glickman
Goodling
Goss
Gradison
Grandy
Green
Hall (TX)
Hammerschmidt
Hancock
Harris
Hastert
Hefley
Henry
Herger
Hobson
Hopkins
Houghton
Hunter
Hutto
Hyde
Inhofe
Jacobs
James
Johnson (CT)
Johnson (TX)
Kasich
Klug
Lagomarsino
Laughlin
Leach
Lent
Lewis (CA)
Lewis (FL)
Lightfoot
Livingston
Lloyd
Lowery (CA)
Machtley
Martin
McCandless
McCollum
McCrery
McDade
McEwen
McGrath
Meyers
Michel
Miller (OH)
Miller (WA)
Montgomery
Moorhead
Morella
Myers
Nichols
Nussle
Oxley
Packard
Parker
Paxon
Penny
Petri
Pickett
Pickle
Porter
Pursell
Ramstad
Ray
Regula
Rhodes
Ridge
Riggs
Rinaldo
Ritter
Roberts
Rogers
Rohrabacher
Ros-Lehtinen
Santorum
Sarpalius
Saxton
Schroeder
Schulze
Sensenbrenner
Shays
Shuster
Sisisky
Skelton
Smith (NJ)
Smith (OR)
Smith (TX)
Snowe
Solomon
Spence
Stearns
Stenholm
Stump
Sundquist
Taylor (MS)
Taylor (NC)
Thomas (CA)
Thomas (WY)
Upton
Valentine
Vander Jagt
Vucanovich
Walker
Weber
Weldon
Wolf
Wylie
Young (AK)
Zeliff
Zimmer

NOES—199

Abercrombie
Anderson
Andrews (ME)
Andrews (NJ)
Andrews (TX)
Annunzio
Anthony
Applegate
Bacchus
Beilenson
Bennett
Berman
Bevill
Blackwell
Bonior
Borski
Brewster
Brooks
Browder
Brown
Bruce
Bustamante
Byron
Camp
Campbell (CO)
Cardin
Carr
Chapman
Clay
Clement
Collins (IL)
Collins (MI)
Cooper
Costello
Cox (IL)
Coyne
Cramer
Darden
de la Garza
DeLauro
Dellums
Dicks
Dingell
Dixon
Dooley
Dorgan (ND)
Downey
Durbin
Dwyer
Dymally
Eckart
Edwards (CA)
English
Erdreich
Evans
Fascell
Fazio
Ford (MI)
Frank (MA)
Frost
Gaydos
Gejdenson
Gephardt
Geren
Gibbons
Gonzalez
Gordon
Guarini
Hall (OH)
Hamilton
Hayes (IL)
Hefner
Hertel
Hoagland
Hochbrueckner
Horn
Horton
Hoyer
Hubbard
Hughes
Jenkins
Johnson (SD)
Johnston
Jones (GA)
Jontz
Kanjorski
Kennelly
Kildee
Kleczka
Kolbe
Kolter
Kopetski
Kyl
LaFalce
Lancaster
LaRocco
Lehman (CA)
Lehman (FL)
Levin (MI)
Lewis (GA)
Lipinski
Long
Lowey (NY)
Markey
Marlenee
Martinez
Matsui
Mazzoli
McCloskey
McDermott
McHugh
McMillan (NC)
McMillen (MD)
McNulty
Mfume
Miller (CA)
Mineta
Mink
Molloohan
Moody
Moran
Murtha
Nagle
Natcher
Neal (NC)
Nowak
Oakar
Oberstar
Obey
Olin
Olver
Ortiz
Orton
Pallone
Panetta
Pastor
Patterson
Payne (NJ)
Pease
Peterson (FL)
Peterson (MN)
Poshard
Price
Quillen
Rahall
Ravenel
Reed
Richardson
Roe
Roemer
Rose
Rostenkowski
Roth
Rowland
Russo
Sangmeister
Savage
Sawyer
Schaefer
Scheuer
Schumer
Sharp
Shaw
Skaggs
Slattery
Slaughter
Smith (FL)
Smith (IA)
Spratt
Staggers
Stallings
Stark
Stokes
Swett
Swift
Tallon
Tanner
Tauzin
Thomas (GA)
Thornton
Torres
Traficant
Unsoeld
Vento
Visclosky
Volkmer
Walsh
Washington
Waxman
Wheat
Whitten
Williams
Wilson
Wise
Wolpe
Wyden
Yates
Yatron
Young (FL)

NOT VOTING—68

Ackerman
Alexander
Aspin
Atkins
AuCoin
Barnard
Boehlert
Boxer
Bryant
Chandler
Coleman (TX)
Conyers
DeFazio
Derrick
Donnelly
Dornan (CA)
Early
Engel
Espy
Feighan
Flake
Foglietta
Ford (TN)
Gallegly
Gunderson
Hansen
Hatcher
Hayes (LA)
Holloway
Huckaby
Ireland
Jefferson
Kaptur
Kennedy
Kostmayer
Lantos
Levine (CA)
Luken
Manton
Mavroules
McCurdy
Moakley
Molinari
Morrison
Mrazek
Murphy
Neal (MA)
Owens (NY)
Owens (UT)
Payne (VA)
Pelosi
Perkins
Rangel
Roukema
Roybal
Sabo
Sanders
Schiff
Serrano
Sikorski
Skeen
Solarz
Studds
Synar
Torricelli
Towns
Traxler
Waters

□ 1403

The Clerk announced the following pair:

On this vote:

Mr. Synar for, with Mr. Dornan against.

Mr. FORD of Michigan and Mr. ROWLAND changed their vote from "aye" to "no."

Messrs. EDWARDS of Oklahoma, LIVINGSTON, SKELTON, and RAY, and Mrs. LLOYD changed their vote from "no" to "aye."

So the amendment was rejected.

The result of the vote was announced as above recorded.

PERSONAL EXPLANATION

Mr. SYNAR. Mr. Speaker, I ask unanimous consent that the permanent CONGRESSIONAL RECORD reflect that I voted against in the pair versus aye.

The SPEAKER pro tempore (Mr. BENNETT). Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

AMENDMENT OFFERED BY MR. WILLIAMS

Mr. WILLIAMS. Madam Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. WILLIAMS: Page 124, after line 4, insert the following new section (and redesignate succeeding sections of the bill accordingly):

SEC. 810. SHARED SERVICES DEMONSTRATION PROJECTS.

Title VIII of the Act (as redesignated by subsections (a) and (b) of section 701 and amended by section 809 of this Act) is amended by adding at the end the following new section:

"SHARED SERVICES DEMONSTRATION PROJECT

"SEC. 822. (a) The Secretary, acting through the Service and notwithstanding any other provision of law, is authorized to enter into contracts with Indian tribes or tribal organizations to establish shared services demonstration projects for the delivery of long-term care to Indians. Such projects shall provide for the sharing of staff or other services between a Service facility and a nursing facility owned and operated (directly or by contract) by such Indian tribe or tribal organization.

"(b) A contract entered into pursuant to subsection (a)—

"(1) may, at the request of the Indian tribe or tribal organization, delegate to such tribe or tribal organization such powers of supervision and control over Service employees as the Secretary deems necessary to carry out the purposes of this section;

"(2) shall provide that expenses (including salaries) relating to services that are shared between the Service facility and the tribal facility be allocated proportionately between the Service and the tribe or tribal organization; and

"(3) may authorize such tribe or tribal organization to construct, renovate, or expand a nursing facility (including the construction of a facility attached to a Service facility), except that no funds appropriated for the Service shall be obligated or expended for such purpose.

"(c) To be eligible for a contract under this section, a tribe or tribal organization, shall, as of the date of the enactment of this Act—

"(1) own and operate (directly or by contract) a nursing facility;

"(2) have entered into an agreement with a consultant to develop a plan for meeting the long-term needs of the tribe or tribal organization; or

"(3) have adopted a tribal resolution providing for the construction of a nursing facility.

"(d) Any nursing facility for which a contract is entered into under this section shall meet the requirements for nursing facilities under section 1919 of the Social Security Act.

"(e) The Secretary shall provide such technical and other assistance as may be necessary to enable applicants to comply with the provisions of this section.

"(f) The Secretary shall submit to the President, for inclusion in each report required to be transmitted to the Congress under section 801, a report on the findings and conclusions derived from the demonstration projects conducted under this section.".

Page 117, line 11, strike "and 817(a)" and insert "817(a), and 822(f)".

Page 124, line 7, strike "809" and insert "810".

Page 124, line 11, strike "822" and insert "823".

Page 124, line 17, strike "810" and insert "811".

Page 124, line 20, strike "823" and insert "824".

Mr. WILLIAMS (during the reading). Madam Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Montana?

There was no objection.

Mr. WILLIAMS. Madam Chairman, I strongly support this bill. I thank the chairman and the ranking members of both the Committee on Interior and In-

sular Affairs and the Committee on Energy and Commerce for their commitment to the provisions of quality health care for American Indians.

The elderly population on reservations has been increasing at accelerated rates, highlighting the urgency for greater attention to be given to the long-term-care needs of tribal elders.

The bill already provides a much-needed boost to home and community-based care on the reservation, but the bill could go farther, however. It could go farther in assuring continuing care. The legislation does not fully address the immediate and crucial needs for improved nursing-home care on the reservation.

My amendment would allow the Indian tribes—tribes, that is—to provide nursing home care for their elderly by sharing services with an Indian Health Service facility. The Indian Health Service does not now provide nursing homes for American Indians. Given the economic times we find ourselves in, I am not at all sure that we will provide nursing homes for native Americans in the foreseeable future; however, some tribes have already entered into the business of owning and operating nursing homes out of the necessity to keep their loved ones close. Thus my amendment. Let me explain it to my colleagues.

My amendment creates six model programs in the Nation that would first negotiate a shared service contract between IHS and Indian tribes that have nursing homes. Shared services would include employees and facilities.

A second point of the amendment is that it would allow tribes to attach their own nursing homes, paid for by themselves, to an IHS facility for the purpose of consistency of service. All of this, all of these points that I am going to enumerate, would have to be agreeable to IHS as they interact with the various tribes.

□ 1410

The third point that my amendment would allow is the nursing home to pay the salaries and expenses of shared services proportionately. For example, if dietary services are used to feed 40 nursing home patients and 60 hospital patients, the tribe under this agreement would pay 40 percent of the costs, and IHS would pay 60 percent.

The fourth point of my amendment, the final point that I will share with my colleagues, is that in the shared services agreement IHS is authorized to allow supervision authority of IHS employees to the tribe, but that, of course, must be part of the negotiated agreement.

Let me tell my colleagues what my amendment does not do. CBO that has costed this amendment says there is no cost to the IHS, the Federal Government associated with it. Under my amendment IHS cannot spend, cannot spend, Medicare or Medicaid money on any arrangement they would agree to with the tribes. If the negotiations are not satisfactory to the tribe or IHS, for the connection of nursing homes with hospital facilities or for the provision of shared services, that either IHS or the tribe can back out. My amendment limits this effort to only six national models.

By the way, IHS has been approached by Montana tribes and has declined to negotiate the shared services agreement without this amendment. With the amendment, of course, they would be pleased to move into Montana and elsewhere, wherever the six models are accepted. IHS would be willing to move into some type of shared negotiated agreement. My amendment simply allows them to sit down with the tribes and try to work out an agreement whereby the tribes can take care of their own elders at their own cost and share services with IHS if there is no cost to IHS.

Mr. MILLER of California. Madam Chairman, will the gentleman yield?

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

Mr. MILLER of California. Madam Chairman, I thank the gentleman from Montana [Mr. WILLIAMS] for yielding, and we have had a chance to examine this amendment, and we have worked with the gentleman on this amendment; the committee staff has. We think this is a progressive amendment. We think it is an opportunity to extend this health care to the elderly, which we would not otherwise be able to do, and to do it on favorable terms and conditions to the Federal budget process.

Madam Chairman, I want to commend the gentleman from Montana for bringing this problem to the attention of the committee and also for working out this solution to that problem, and we would be willing to accept the amendment.

Mr. WILLIAMS. Madam Chairman, I thank the gentleman from California [Mr. MILLER] for that statement of support.

Mr. WAXMAN. Madam Chairman, will the gentleman yield?

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

Mr. WAXMAN. Madam Chairman, I want to join in support of this amendment on behalf of those of us on the Committee on Energy and Commerce. They have had a chance to look at it.

Madam Chairman, I think the amendment offered by the gentleman from Montana [Mr. WILLIAMS] is a constructive amendment.

Mr. WILLIAMS. Madam Chairman, I appreciate the gentleman's comment.

Mr. RHODES. Madam Chairman, will the gentleman yield?

Mr. WILLIAMS. I yield to the gentleman from Arizona.

Mr. RHODES. Madam Chairman, I certainly applaud the purposes for which this amendment is offered. My only concern with the amendment is, very frankly, the process. We did not have hearings. We do not know if IHS is prepared to carry out the responsibilities under the amendment. I understand that they do have to agree on a case-by-case basis on whether they are going to, so I have no objection to the amendment and would agree to its adoption.

Mr. WILLIAMS. Madam Chairman, I appreciate the gentleman's acceptance of the amendment, and, Madam Chairman, I yield back the balance of my time.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Montana [Mr. WILLIAMS].

The amendment was agreed to.

AMENDMENT OFFERED BY MR. WILLIAMS

Mr. WILLIAMS. Madam Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. WILLIAMS: page 84, line 5, insert before the period the following: "or under section 201".

Mr. WILLIAMS. Madam Chairman, this amendment serves to clarify that the Indian alcohol and substance abuse programs which are authorized under title II of the bill and have received funding along with title V programs in the past can continue to receive those funds. It has come to my attention that many substance abuse programs across the country receive their authorization and funding under title II. That program has been in existence since 1973, almost 20 years, and have proven records of success.

This amendment is technical in nature in that it does not create a new program nor substantively change the program. It simply ensures that programs that have been eligible in the past for substance abuse resources would continue to be eligible under the current bill.

Madam Chairman, I think that is the intention of the sponsors of the bill, but it has come to their attention, as well as mine, that we may need this technical amendment in order to ensure that title II funding is used as we intended.

Mr. MILLER of California. Madam Chairman, will the gentleman yield?

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

Mr. MILLER of California. Madam Chairman, I thank the gentleman from Montana [Mr. WILLIAMS] for yielding to me, and he is quite correct. We do accept the technical amendment.

Mr. WILLIAMS. Madam Chairman, I thank the gentleman from California [Mr. MILLER].

Mr. RHODES. Madam Chairman, will the gentleman yield?

Mr. WILLIAMS. I yield to the gentleman from Arizona.

Mr. RHODES. Madam Chairman, we have no objection to the amendment.

We accept the amendment offered by the gentleman from Montana [Mr. WILLIAMS].

Mr. BEREUTER. Madam Chairman, will the gentleman yield?

Mr. WILLIAMS. I yield to the gentleman from Nebraska.

Mr. BEREUTER. Madam Chairman, I thank the distinguished gentleman from Montana [Mr. WILLIAMS] for yielding to me.

Madam Chairman, this initiative, the need for this initiative, has been brought to my attention. I want to commend the gentleman for his initiative, and I certainly support it.

Mr. WILLIAMS. Madam Chairman, I want the gentleman from Nebraska [Mr. BEREUTER] to know that I know of his attention to this matter, and I appreciate his work and encouragement on behalf of the amendment.

Mr. WAXMAN. Madam Chairman, will the gentleman yield?

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

Mr. WAXMAN. Madam Chairman, I just had the gentleman yield to me so I could urge our colleagues to support the amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Montana [Mr. WILLIAMS].

The amendment was agreed to.

AMENDMENT OFFERED BY MR. DORGAN OF NORTH DAKOTA

Mr. DORGAN of North Dakota. Madam Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. DORGAN of North Dakota: Page 90, after line 16, insert the following:

"(c) GRANTS FOR MODEL PROGRAM.—The Secretary, as part of the program required under subsection (a), shall, subject to the availability of appropriations, make grants to the Standing Rock Sioux Tribe for the purpose of developing, in consultation with Federal and State officials, an alcohol and substance abuse program to serve as a model for Indian alcohol and substance abuse programs nationwide.

Mr. DORGAN of North Dakota (during the reading). Madam Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from North Dakota?

There was no objection.

Mr. DORGAN of North Dakota. Madam Chairman, I rise to offer an amendment to H.R. 3724, the Indian health amendments to address a critical health care need on Indian reservations today—the treatment of alcoholism and substance abuse.

Alcoholism and substance abuse have reached crisis proportions among native Americans in this country. The alcoholism rate among native Americans is six times the national average, and the alcoholism death rate for native Americans is four times the national average.

In the Aberdeen area of the Indian Health Service, in which my district is located, native American women are nearly 12 times more likely to die of cirrhosis than are other Americans. This is an unjustified tragedy that we must address.

Unfortunately, most substance abuse programs don't address the unique circumstances of native Americans, especially those living on Indian reservations. But in North Dakota and South Dakota, on the Standing Rock Indian Reservation, the Standing Rock Sioux Tribe has been working with State officials and the IHS to develop a new, innovative alcoholism and substance abuse program to serve as a model for reservations across the country.

This model program offers both residential and outpatient treatment services. The program addresses both the root causes of substance abuse and the dangerous effects of addiction, including a high incidence of domestic violence and sexual abuse often related to alcoholism. And even though this program is less than 2 years old, the Standing Rock Treatment Program has seen remarkable successes.

My amendment directs the Secretary of Health and Human Services, through IHS, to provide a grant to the Standing Rock Sioux Tribe to develop a program for the treatment of alcoholism and substance abuse among native Americans. This program would be used as a model for combatting substance abuse on reservations across the country.

This amendment doesn't request any new money for the program. But it does acknowledge the extent of the problems of alcoholism and substance abuse among native Americans, and it recognizes the pain and despair suffered by each native American who suffers from these diseases. This is a problem that we can fix, and I urge your support for this amendment.

Mr. MILLER of California. Madam Chairman, I rise in support of the amendment offered by the gentleman from North Dakota [Mr. DORGAN].

Madam Chairman, we have had a chance to review the amendment offered by the gentleman from North Dakota, and we accept it and think it is a good amendment.

Mr. WAXMAN. Madam Chairman, will the gentleman yield?

Mr. MILLER of California. I yield to the gentleman from California.

Mr. WAXMAN. Madam Chairman, as the manager of the bill from the Committee on Energy and Commerce, we have had a chance to look at this amendment, as well, and do support it.

Mr. RHODES. Madam Chairman, will the gentleman yield?

Mr. MILLER of California. I yield to the gentleman from Arizona.

Mr. RHODES. Madam Chairman, on behalf of the minority, we have examined the amendment, we have no objection to the amendment and we accept the amendment.

Mr. BEREUTER. Madam Chairman, I move to strike the last word, and I rise in support of the amendment offered by the gentleman from North Dakota [Mr. DORGAN].

Madam Chairman, many Americans know, alcohol-related illnesses and deaths among Indian people are considerably higher than among non-Indian people. Therefore, it is imperative that Indian Health Service [IHS] make a priority of treating substance abuse among native Americans. While Congress has provided a mandate for substance abuse treatment for youth, the mandate for adult treatment has not been as clear. In fact, the director of the Indian Health Service has told this Member that the Indian Health Service is not authorized in clear terms, by Congress to establish substance abuse treatment centers for adults.

This Member would like to share with you an example of how effective an adult substance abuse treatment center can be. The Winnebago IHS Hospital contains a highly successful adult drug dependency unit [DDU] that is located in the First Congressional District in Nebraska. In fact the public employees roundtable gave its sole prestigious Public Service Excellence Award for the Federal programs category to the Winnebago DDU this year. The DDU has an amazingly high success rate when compared with other programs that treat native Americans. It is reported that it has a 50-percent success rate in treating alcohol and substance abuse while non-Indian treatment programs serving Indian people have a 0- to 5-percent success rate. Not only is the DDU the first adult inpatient substance abuse program in the Indian Health Service system, it also has the highest success rate of programs assisting native Americans.

The Winnebago and Omaha Tribes of Nebraska jointly created this unit in cooperation with the IHS to help stem an extraordinarily serious problem in Indian country. The tragic results of alcoholism and substance abuse can be seen throughout the United States, and especially among Indian people. The Winnebago DDU has developed an innovative treatment program for native Americans that deserves to be considered elsewhere.

Madam Chairman, it is critical that Indian Health Service increase its efforts to fight drug and alcohol abuse. The Dorgan amendment gives IHS clear authority to establish a demonstrative adult substance abuse treatment program. It is regrettable only that this amendment had to be cut back and is thus not a general authorization for adult substance abuse centers. Yet this Member urges his colleagues to support this demonstrative effort at the Standing Rock Reservation and hopes that this demonstration program can be applied to the whole Nation.

□ 1420

The CHAIRMAN. The question is on the amendment offered by the gentleman from North Dakota [Mr. DORGAN].

The amendment was agreed to.

Mr. DANNEMEYER. Madam Chairman, I thought I would call the attention of my colleagues to a little extrapolation that I made concerning this bill, if we are interested as to what the cost of a Federal medical program for American could cost us.

Madam Chairman, this year we are appropriating about $1.4 billion to take care of the health care needs of roughly 2 million Indians in America. If we extrapolate that across the population of 250 million Americans, if my math is correct, that would come to about $175 billion.

Under Medicaid spending today we are spending about $125 billion State and Federal combined, to take care of 30 million beneficiaries. I suppose if we want to come close to comparing apples to apples, we should add to the total what we are spending for Medicare.

But the point I would like to make is that when we go down the road of a national health insurance plan that some in this House seek to do, the question that all of us have to ask ourselves is where is the money going to come from? I realize that that is not a question that dwells long on the floor of this House, because cost historically has been irrelevant.

The constituencies to be served out there are principally the ones for whose benefit some of this legislation is adopted, that is, if you exclude from the definition of the constituency the taxpayer. But I believe there are times when we should have concern for the welfare of taxpayers.

Madam Chairman, I thought I would just share this interesting analysis with my colleagues.

The CHAIRMAN pro tempore (Mr. KANJORSKI). Are there further amendments to the bill? If not, the question is on the amendment in the nature of a substitute, as amended.

The amendment in the nature of a substitute, as amended, was agreed to.

The CHAIRMAN pro tempore. Under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. MCNULTY) having assumed the chair, Mr. KANJORSKI, Chairman pro tempore of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 3724) to amend the Indian Health Care Improvement Act to authorize appropriations for Indian health programs, and for other purposes, pursuant to House Resolution 562, he reported the bill back to the House with an amendment adopted by the Committee of the Whole.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment to the amendment in the nature of a substitute adopted by the Committee of the Whole? If not, the question is on the amendment.

The amendment was agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

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

The SPEAKER pro tempore. The question is on the passage of the bill.

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

Mr. DANNEMEYER. 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—yes 330, nays 36, not voting, 66, as follows:

[Roll No. 392]

YEAS—330

Abercrombie
Anderson
Andrews (ME)
Andrews (NJ)
Andrews (TX)
Annunzio
Anthony
Applegate
Bacchus
Baker
Ballenger
Barrett
Bateman
Beilenson
Bennett
Bentley
Bereuter
Berman
Bevill
Bilbray
Blackwell
Bonior
Borski
Boucher
Brewster
Brooks
Broomfield
Browder
Brown
Bruce
Bunning
Byron
Callahan
Camp
Campbell (CA)
Cardin
Carper
Carr
Chapman
Clay
Clement
Clinger
Coleman (MO)
Collins (IL)
Collins (MI)
Combest
Condit
Cooper
Costello
Coughlin
Cox (CA)
Cox (IL)
Coyne
Cramer
Cunningham
Darden
Davis
de la Garza
DeLauro
Dellums
Derrick
Dickinson
Dicks
Dingell
Dixon
Dooley
Dorgan (ND)
Downey
Durbin
Dwyer
Eckart
Edwards (CA)
Edwards (OK)
Edwards (TX)
Emerson
Erdreich
Evans
Ewing
Fascell
Fazio
Feighan
Fish
Ford (MI)
Frank (MA)
Franks (CT)
Frost
Gallo
Gaydos
Gejdenson
Gephardt
Geren
Gibbons
Gilchrest
Gillmor
Gilman
Gingrich
Glickman
Gonzalez
Gordon
Goss
Gradison
Grandy
Green
Guarini
Hall (OH)
Hall (TX)
Hamilton
Hammerschmidt
Harris
Hatcher
Hayes (IL)
Hefley
Hefner
Herger
Hertel
Hoagland
Hobson
Hochbrueckner
Hopkins
Horn
Horton
Houghton
Hoyer
Hubbard
Hughes
Hunter
Hutto
Hyde
Inhofe
Jacobs
James
Jenkins
Johnson (CT)
Johnson (SD)
Johnston
Jones (GA)
Jontz
Kanjorski
Kasich
Kennelly
Kildee
Kleczka
Klug
Kolbe
Kolter
Kopetski
Kostmayer
Kyl
LaFalce
Lagomarsino
Lancaster
LaRocco
Laughlin
Leach
Lehman (CA)
Lehman (FL)
Lent
Levin (MI)
Lewis (CA)
Lewis (FL)
Lewis (GA)
Lightfoot
Lipinski
Livingston
Lloyd
Long
Lowery (CA)
Lowey (NY)
Machtley
Markey
Marlenee
Martin
Martinez
Matsui
Mazzoli
McCandless
McCloskey
McCollum
McCrery
McDade
McDermott
McGrath
McHugh
McMillan (NC)
McMillen (MD)
McNulty
Meyers
Mfume
Michel
Miller (CA)
Miller (WA)
Mineta
Mink
Mollohan
Montgomery
Moody
Moorhead
Moran
Morella
Mrazek
Murtha
Myers
Nagle
Natcher
Neal (NC)
Nichols
Nowak
Nussle
Oakar
Oberstar
Obey
Olin
Olver
Ortiz
Orton
Oxley
Packard
Pallone
Panetta
Parker
Pastor
Patterson
Paxon
Payne (NJ)
Pease
Penny
Peterson (FL)
Peterson (MN)
Petri
Pickett
Pickle
Porter
Poshard
Price
Quillen
Rahall
Ramstad
Ravenel
Ray
Reed
Regula
Rhodes
Richardson
Ridge
Riggs
Rinaldo
Roberts
Roe
Roemer
Rogers
Ros-Lehtinen
Rose
Rostenkowski
Roth
Rowland
Russo
Sangmeister
Santorum
Sarpalius
Savage
Sawyer
Saxton
Schaefer
Scheuer
Schroeder
Schulze
Schumer
Sharp
Shaw
Shays
Sisisky
Skaggs
Skelton
Slattery
Slaughter
Smith (FL)
Smith (IA)
Smith (NJ)
Smith (OR)
Smith (TX)
Snowe
Spence
Spratt
Staggers
Stallings
Stark
Stenholm
Stokes
Sundquist
Swett
Swift
Tallon
Tanner
Tauzin
Taylor (MS)
Taylor (NC)
Thomas (CA)
Thomas (GA)
Thomas (WY)
Thornton
Torres
Traficant
Unsoeld
Valentine
Vander Jagt
Vento
Visclosky
Volkmer
Vucanovich
Walsh
Washington
Waters
Waxman
Weber
Weldon
Wheat
Whitten
Williams
Wilson
Wise
Wolf
Wolpe
Wyden
Wylie
Yates
Yatron
Young (AK)
Young (FL)
Zeliff
Zimmer

NAYS—36

Allard
Allen
Archer
Armey
Barton
Bilirakis
Bliley
Boehner
Burton
Coble
Crane
Dannemeyer
DeLay
Doolittle
Dreier
Duncan
Fawell
Fields
Gekas
Goodling
Hancock
Hastert
Henry
Johnson (TX)
McEwen
Miller (OH)
Pursell
Ritter
Rohrabacher
Sensenbrenner
Shuster
Solomon
Stearns
Stump
Upton
Walker

NOT VOTING—66

Ackerman
Alexander
Aspin
Atkins
AuCoin
Barnard
Boehlert
Boxer
Bryant
Bustamante
Campbell (CO)
Chandler
Coleman (TX)
Conyers
DeFazio
Donnelly
Dornan (CA)
Dymally
Early
Engel
English
Espy
Flake
Foglietta
Ford (TN)
Gallegly
Gunderson
Hansen
Hayes (LA)
Holloway
Huckaby
Ireland
Jefferson
Kaptur
Kennedy
Lantos
Levine (CA)
Luken
Manton
Mavroules
McCurdy
Moakley
Molinari
Morrison
Murphy
Neal (MA)
Owens (NY)
Owens (UT)
Payne (VA)
Pelosi
Perkins
Rangel
Roukema
Roybal
Sabo
Sanders
Schiff
Serrano
Sikorski
Skeen

Solarz	Synar	Towns
Studds	Torricelli	Traxler

□ 1448

Mr. MILLER of Ohio changed his vote from "yea" to "nay."

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. MILLER of California. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks, and to include extraneous matter, on H.R. 3724 and H.R. 5752.

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

There was no objection.

PERSONAL EXPLANATION

Mr. GUNDERSON. Mr. Speaker, today the House voted on H.R. 3724, the Indian Health Amendment Act. Because I was attending farm progress days in Eau Claire, WI, I was unable to vote on this legislation.

Farm progress day is one of the largest agriculture expositions in the Midwest, highlighting research and technology in the agriculture field. The event regularly attracts 100,000 people each day.

Given the significance of this event on the lives and livelihood of those I represent in western Wisconsin, I opted to attend the farm progress days with my constituents. While I regret missing the vote in the House, the interests of my district and those I represent were best served by my participation in this important event.

AUTHORIZING THE CLERK TO MAKE CORRECTIONS IN ENGROSSMENT OF H.R. 3724 AND H.R. 5752, INDIAN HEALTH AMENDMENTS OF 1992

Mr. MILLER of California. Mr. Speaker, I ask unanimous consent that, in the engrossment of the bill, H.R. 3724 and H.R. 5752, as amended, the Clerk be authorized to correct section numbers, cross-references, and punctuation, and to make such stylistic, clerical, technical, conforming, and other changes as may be necessary to reflect the actions of the House in amending the bill.

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

There was no objection.

STOCK RAISING HOMESTEAD ACT AMENDMENTS OF 1992

The SPEAKER pro tempore. Pursuant to House Resolution 561 and rule XXIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the consideration of the bill, H.R. 450.

□ 1448

IN THE COMMITTEE OF THE WHOLE

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 450) to amend the Stock Raising Homestead Act to resolve certain problems regarding subsurface estates, and for other purposes, with Mrs. SCHROEDER in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. Pursuant to the rule, the bill is considered as having been read the first time.

Under the rule, the gentleman from West Virginia [Mr. RAHALL] will be recognized for 30 minutes, and the gentlewoman from Nevada [Mrs. VUCANOVICH] will be recognized for 30 minutes.

The Chair recognizes the gentleman from West Virginia [Mr. RAHALL].

□ 1450

Mr. RAHALL. Madam Chairman, I yield myself such time as I may consume.

Madam Chairman, the Stock Raising Homestead Act of 1916 was one of the last in a series of laws designed to encourage settlement of the West.

This 76-year-old law enabled individuals to gain title to the surface of the land under certain conditions while reserving the potentially more valuable mineral estate in the public domain; that is, in Federal ownership.

Today, throughout the Western States there are approximately 70 million acres of land on which title to the surface is held by private individuals as a result of the Stock Raising Homestead Act.

Meanwhile, the underlying mineral estate to these lands continues to be owned by the United States and subject to various mining laws.

Unfortunately, because of the way current law is written, this split-estate arrangement has left surface owners vulnerable to other individuals who wish to use the same lands for mineral activities.

In other words, the rights of these surface owners are subordinate to the rights of individuals seeking to develop the so-called locatable minerals—such as gold, silver, or copper—of the reserved Federal mineral estate.

This right to mine can preempt the rights of the surface owner, resulting in a variety of injustices including the disruption if not outright destruction of ongoing ranching and farming operations.

The pending measure, H.R. 450, seeks to address the inevitable conflict which arises in this type of split-estate arrangement when those interested in raising livestock, and those engaged in mineral exploration and development, want to use the same parcel of land.

H.R. 450 seeks a balance between the rights of the surface owner, and those interested in the underlying locatable minerals, by providing a straightforward and equitable procedure for gaining access to, and undertaking mining activities on, Stock Raising Homestead Act lands.

This would be accomplished by requiring that miners give notice to the surface owner before entering the land in order to prospect or locate mining claims.

If the claim holder then wants to then develop and mine the claim, it would be preferable that it be done with the consent of the surface owner.

However, in the event consent is not forthcoming, this legislation would require that the claimholder have a plan of operation approved by the Secretary of the Interior, fully reclaim damaged areas, and provide compensation to the surface owner for any loss of income or damage that results.

Today, the increased interest in gold exploration and development in States like California and Nevada has aggravated the inherent conflicts of split-estate land ownership on stock raising homestead lands.

Enactment of this measure could avert a modern day range war between the cowboys and the miners, especially as gold fever continues to sweep through the Western States.

Madam Chairman, H.R. 450 was introduced and has been tenaciously supported by our colleague, RICK LEHMAN of California.

He has dubbed the bill, the "Ranchers' Rights" bill because, if enacted, it would place ranchers who own stock raising homestead lands on an even playing field with those who wish to prospect for and develop hardrock minerals from those lands.

Madam Chairman, I reserve the balance of my time.

Mrs. VUCANOVICH. Madam Chairman, I yield myself such time as I may consume.

Madam Chairman, I rise in opposition to H.R. 450 as amended by the Committee on Interior and Insular Affairs. Once again, the Interior Committee has subverted proper legislative process and marked up a bill upon which not one person has testified, nor was any comment from the administration sought. This blatant disregard for the views of our affected constituents is becoming routine. Let me explain.

Madam Chairman, H.R. 450 began life as the same bill which passed this body by voice vote in the 101st Congress. The Mining Subcommittee held a field hearing in Fresno, CA in July 1989, to take testimony from Stock Raising Homestead Act surface owners and the Bureau of Land Management. H.R. 737, as amended, was a compromise that ranchers and miners could support. At

issue then, as now, were the relative rights of the surface owner and the holder of the rights to the mineral estate, which is reserved to the United States in Stock Raising Homestead Act deeds.

It has been the policy of the Federal Government since 1916 that the so-called hardrock minerals beneath such lands are available for disposition under the mining law, as modified by the 1916 act. In other words, prospectors and miners can locate mining claims on these lands, and may operate on such mining claims upon receiving permission from the surface owner and providing compensation for damages to the surface estate.

However, under current law, if a surface owner refuses such permission to reenter the lands, the miner has the option of proffering a bond to the BLM for the estimated damages to the surface estate and operating without the surface owner's consent. This step is necessary if the mineral estate reserved to the United States is to be accessible, but few legitimate mining interests will ever choose to exercise it because a good working relationship with the landowner is always better than forced access.

Madam Chairman, the bill we passed last Congress tightened up some requirements on miners for advance notice and reclamation but it did not make the reserved mineral estate off limits. The substitute to H.R. 450 adopted in the Interior Committee would, in effect, do so. Again, let me emphasize to my colleagues, neither the Mining Subcommittee, nor the full Interior Committee, held a hearing on this substitute. It was brought to a markup in subcommittee less than 1 week after its release to the Members—1 week. The only views solicited by the majority were those of the California Cattleman's Association. They persuaded the national association to support the substitute as well, despite the group's earlier support of the Bingaman-Wallop bill in the Senate, S. 1187.

The substitute goes far beyond the original bill which had broad support, including that of the administration. The substitute would unduly restrict the right and ability to prospect for minerals that are strategic and critical to our Nation's needs. How would it do this? By imposing standards that ignore regional differences in soils, climate and vegetation and dictate the manner in which mining and reclamation must occur before a plan of operations would be approved by the Bureau of Land Management. This is contrary to the conclusions reached by the Committee on Surface Mining and Reclamation [COSMAR] of the National Academy of Sciences in the 1979 report to Congress, "Surface Mining of Non-Coal Minerals." This panel was convened under a mandate in the Surface Mining Control and Reclamation Act of 1977 [SMCRA] to assess whether or not the national standards adopted for coal mine reclamation should be applied to hardrock mining. COSMAR concluded national standards were unworkable. I know of no study since which concludes otherwise.

Madam Chairman, H.R. 450 would bar mineral activities where rigid environmental standards could not be met. The administration is quite concerned about the Federal Government's potential liability in approving mining plans of operation on private lands. Yes, the conditions imposed are very strict, but will a surface owner be allowed to sue the United States if a BLM-approved plan causes unanticipated damages?

Furthermore, decisions concerning water quantity that, heretofore, have been the sole domain of the States would now be the decision for a Federal Government authorized officer. I say to my friends, that this is a dangerous precedent. But, since we had no hearing on the substitute there was no one to sound the alarm.

Let me finish, Madam Chairman, on this note. As my ranching constituents will tell you, I have supported them in their issues in Congress for my entire tenure. So have I supported miners. These are two basic industries in my State and district. The subcommittee chairman would have you believe that this bill would avert a modern-day range war. I say to my colleagues that I come from the home of the Sagebrush Rebellion, and I know quite well that if there were to be such a war it would not pit public lands users against each other. Rather, miners, ranchers, lumbermen, and other people who earn a living from resources on the public lands are united in their opposition to Federal Government intrusion into their livelihoods.

Madam Chairman, I do not intend to call for a recorded vote on this bill. I am anxious to see some resolution of split-estate mining issues, but I simply cannot support this heavy-handed approach. The other body passed a reasonable bill sponsored by Senators WALLOP and BINGAMAN. Those gentlemen represent the two States with by far the most Stock Raising Homestead Act acreage and potential mining conflicts. I am confident that a compromise acceptable to all parties can be reached in conference with the Senate.

Madam Chairman, I reserve the balance of my time.

□ 1500

Mr. RAHALL. Madam Chairman, I yield 3 minutes to the distinguished gentleman from California [Mr. LEHMAN], without whose leadership we would not be considering this legislation, and I commend him for his having the subcommittee into his State for hearings on this and for his work on this legislation.

Mr. LEHMAN of California. Madam Chairman, I rise today in support of H.R. 450, the Homestead Stock Raising Act. I want to thank the gentleman from West Virginia [Mr. RAHALL], chairman of the subcommittee, for the work he has done on this bill and for coming out to California and looking at the problem firsthand, holding a hearing and then going forth with this legislation.

This bill addresses an ongoing problem that exists in the West with regard to the land with a split estate, that is lands where title of the surface is held by a private landowner and the title of the mineral interests is held by the United States.

This bill, which is supported by the National Cattlemen's Association, the California Cattlemen's Association, and the National Wildlife Federation strikes a balance between the rights of private surface owners and those with interest in gaining access to the lands for mining.

In effect, it updates this act, written over 100 years ago, to meet the realities that we face today in the cattle business and in the mining industry as well.

This bill provides for four basic provisions to establish a sound process. First, prospectors must give a 30-day notice to surface owners; second, prospectors must have a plan of operation approved by the Secretary of the Interior; third, prospectors must fully reclaim damaged areas; and fourth, prospectors must compensate for the loss of surface use and the disruption of the surface operation.

As an aside, I would like to mention at this point that I think there has been unfortunate confusion over this bill particularly with some Members of Congress from the East and coal producing States. This bill does not affect coal mining or leasing in any way. This bill only applies to those States, primarily Western States, in which stockraising homestead lands were acquired by a private owner and the mineral rights stayed with the Federal Government.

This bill was not brought up by a consultant back here or a committee staff; it came from actual cattle ranchers in my district who had a very specific problem and needed it drafted and came to this Congress to do so.

In closing, I have worked very closely with cattlemen who have been affected by this type of situation, in order to craft a piece of legislation which they feel adequately meets their concerns.

This bill does. It is worthy of adoption today. I thank the chairman. I urge passage of the bill.

Mrs. VUCANOVICH. Madam Chairman, I yield 3 minutes to the gentleman from Wyoming [Mr. THOMAS].

Mr. THOMAS of Wyoming. I thank the gentlewoman for yielding this time to me.

Madam Chairman, I rise today to again oppose H.R. 450 as amended by the Committee on Interior and Insular Affairs and as brought up and defeated on July 27, 1992, on the suspension calendar. And, once again, my opposition is based on the disappointing process used to advance this bill.

And the fact that this bill imposes an excessive number of regulations in an area where we now have a satisfactory amount of regulation or at least could do with the Senate bill, with somewhat less.

It is interesting that almost daily Members of this body rise and complain about overregulation. I think they hear it quite often from their constituents. I think also they quite often say it is the agencies that do that. The fact is that it is not always the agencies, and this is the case here.

At the heart of this legislation is a balancing of the rights of surface owners whose title is derived under the Stock Raising Homestead Act of 1916, and that is now in private ownership. I think that is an important note to remember, that this is private ownership, owned by private owners; and the interests of miners who seek to locate minerals under the Mining Act of 1872.

Although this has generally resulted in a fairly friendly relation between the two estates, there have been questions of notice and protection. In the 101st Congress, the Mining and Natural Resources Subcommittee worked, through a process which included field hearings, to build a compromise bill, H.R. 737. That bill was one that all parties—miners, stock growers, and others—could support or at least not oppose. H.R. 737 provided for advanced notice and reclamation standards, but it did not, in effect, make the mineral estate off limits.

Today the House is again asked to take up the substitute version of H.R. 450, a substitute that has never had the benefit of the hearing in the 101st or any other Congress, and which was offered to the Subcommittee on Mining and Natural Resources just 1 week before markup.

And what does H.R. 450 offer? This bill would unduly restrict the rights and the abilities to prospect for minerals that are strategic and critical to our national needs and security. This bill also ignores regional differences in soil, climate, and vegetation, with the usual one-fits-all kind of Federal regulation.

In fact, H.R. 450 would serve to bar mining activities due to rigid environmental standards, even if the surface owner under existing law, both State and national, agrees to allow for mining. In other words, as the permit issuing agency, the Bureau of Land Management would be placed in the position of dictating how a private landowner would be impacted by mining.

In addition, water quality decisions, previously the sole domain of the States, would now be made by an officer designated by the Federal Government. These are dangerous precedents which should cause alarm to all of us.

Madam Chairman, in short, the language of this bill is fundamentally flawed, and I firmly believe there is no chance of it becoming law. But even worse, this bill is a perfect example of legislation adopted without the benefit of full and fair comment and, instead, brought forward and forced to the floor, where it appears the House again will be compelled to consider it again and again until it passes.

Mr. RAHALL. Madam Chairman, I yield 5 minutes to the gentleman from Ohio [Mr. TRAFICANT].

Mr. TRAFICANT. I thank the chairman.

Madam Chairman, I know that the distinguished vice chairlady here of the committee has some concerns, and her concerns are justified. I want to say, in starting out, that there will be some tailoring done to this if this measure becomes law, and I think her concerns are well known and I support her in making some of those changes to protect those concerns she has.

They make sense.

Madam Chairman, here is my concern today: I am concerned that America is being auctioned off and sold off here to the highest bidders. Foreign interests are beginning to buy America, from Wall Street to Main Street to side street to country roads, right from under our noses. I do not even think we are keeping statistics on how much it really is.

Even though this bill deals with specific minerals, I want to talk about the general milieu of foreign ownership and then focus in on this particular bill with my amendment.

First, Japanese own 50 percent of the banks in Los Angeles, 40 percent of the banks in Minnesota, Minneapolis-St. Paul. They own the racehorse Sunday Silence, Rockefeller Center, CBS Records. 7-Eleven is owned by foreign interests, "I Love Lucy" reruns; on and on and on.

But an American can buy a Japanese racehorse, but he or she cannot race that horse in Japan. An American could buy a company in Japan, buy stock in that company, be the biggest shareholder, but cannot have a seat on the board of directors.

Madam Chairman, something is wrong, folks. America is being bought out right from under us, from our minerals to our fertile farmland, our assets.

What will we as Americans really own? We could fish with a fishing permit on the property, but foreign interests will own the gold, the lead, the zinc, the copper, and the silver underneath that land.

Madam Chairman, we have the raw resources. We are turning them over left and right, and we in fact, in my opinion, are making a tremendous mistake. My amendment, which I will be offering later today, simply says that the foreign ownership and control of those particular properties and lands and facilities, under this particular bill, have to be reported so that we know at least what is going on.

□ 1510

In my opinion, the foreign interests do not give a damn about Uncle Sam. They are only here to make a buck, and I think it is our job and our responsibility to protect the interests of our Nation.

So with that in mind, Madam Chairman, I am glad to see that the subcommittee chairman here supports the bill. I want to commend him for the job that he has done throughout Pennsylvania, Ohio, and West Virginia in the coal mining industry. If it were not for the leadership of this chairman, I shudder to think at some of the mining activities in this Nation.

I am proud to have the support of the committee chairman. I hope the concerns that are justifiable by our subcommittee chairman here and the ranking subcommittee member are incorporated. I have no objection to that.

I just think it is time the American people know what is going on and who really owns a piece of the rock.

Mr. THOMAS of Wyoming. Madam Chairman, will the gentleman yield?

Mr. TRAFICANT. I yield to the gentleman from Wyoming.

Mr. THOMAS of Wyoming. Madam Chairman, there are two areas that are specifically set forth in this bill. One is the surface, which is privately owned and which has been homesteaded. The other is the mineral estate under it and facilities that would go to mine that estate.

Does the gentleman intend that the Secretary of the Interior would be responsible for transactions on these private lands that are involved here?

Mr. TRAFICANT. No.

Mr. THOMAS of Wyoming. Or is the gentleman talking about only the Government-owned minerals?

Mr. TRAFICANT. I would support the concerns that have been brought forward by the committee in regard to the differences of opinion and would support and ask that my language be tailored in conference, so as not to belabor it here today, toward the ends of satisfying both sides; but if it were truly up to me, I would know every piece of property in America, who owns it and what its value is, and have an annual report.

But who am I? What do I know?

So I am willing to bow to at least the concerns of the committee.

I want to say this to you. If the minority side completely rejects this and we do win, then I am going to play hard ball.

Mrs. VUCANOVICH. Madam Chairman, I have no further requests for

time, and I yield back the balance of my time.

Mr. RAHALL. Madam Chairman, I have no further requests for time, and I yield back the balance of my time.

The CHAIRMAN. All time for general debate has expired.

Pursuant to the rule, the committee amendment in the nature of a substitute now printed in the bill is considered as an original bill for the purpose of amendment and is considered as having been read.

The text of the committee amendment in the nature of a substitute is as follows:

H.R. 450

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

SECTION 1. MINING CLAIMS ON STOCK RAISING HOMESTEAD ACT LANDS.

(a) MINERAL ENTRY UNDER THE STOCK RAISING HOMESTEAD ACT.—Section 9 of the Act of December 29, 1916, entitled "An act to provide for stock-raising homesteads, and for other purposes (43 U.S.C. 299) is amended by adding the following at the end thereof:

"(b) EXPLORATION; LOCATION OF MINING CLAIMS; NOTICES.—

"(1) IN GENERAL.—(A) Notwithstanding subsection (a) and any other provision of law to the contrary, after the effective date of this subsection no person other than the surface owner may enter lands subject to this Act to explore for, or to locate, a mining claim on such lands without—

"(i) filing a notice of intention to locate a mining claim pursuant to paragraph (2); and

"(ii) providing notice to the surface owner pursuant to paragraph (3).

"(B) Any person who has complied with the requirements referred to in subparagraph (A) may, during the authorized exploration period, in order to locate a mining claim, enter lands subject to this Act to undertake mineral activities related to exploration that cause no more than a negligible disturbance of surface resources and do not involve the use of mechanized equipment, explosives, the construction of roads, drill pads, or the use or toxic or hazardous materials.

"(C) The authorized exploration period referred to in subparagraph (B) shall begin 30 days after notice is provided under paragraph (3) with respect to lands subject to such notice and shall end with the expiration of the 60-day period referred to in paragraph (2)(A) or any extension provided under paragraph (2)(B).

"(2) NOTICE OF INTENTION TO LOCATE A MINING CLAIM.—Any person seeking to locate a mining claim on lands subject to this Act in order to engage in the mineral activities relating to exploration referred to under paragraph (1)(B) may file with the Secretary of the Interior a notice of intention to locate a claim on the lands concerned. The notice shall be in such form as the Secretary shall prescribe. The notice shall contain the name and mailing address of the person filing the notice and a legal description of the lands to which the notice applies. The legal description shall be based on the public land survey or on such other description as is sufficient to permit the Secretary to record the notice on his land status records. Whenever any person has filed a notice under this subparagraph with respect to any lands, during the 60-day period following the date of such filing, no other person (including the surface owner) may—

"(A) file such a notice with respect to any portions of such lands;

"(B) explore for minerals or locate a mining claim on any portion of such lands; or

"(C) acquire any interest in any portion of such lands pursuant to section 209 of the Federal Land Policy and Management Act of 1977 (43 U.S.C. 1719).

"(3) NOTICE TO SURFACE OWNER.—Any person who has filed a notice of intention to locate a mining claim under paragraph (2) for any lands subject to this Act shall provide written notice of such filing by registered or certified mail with return receipt to the surface owner (as evidenced by local tax records) of the lands covered by the notice under paragraph (2). Possession of the return receipt signed by the surface owner shall be necessary prior to entering such lands. The notice shall be provided at least 30 days before entering such lands and shall contain each of the following:

"(A) A brief description of the proposed mineral activities.

"(B) A map and legal description of the lands to be subject to mineral exploration.

"(C) The name, address and phone number of the person managing such activities.

"(D) A statement of the dates on which such activities will take place.

"(4) ACREAGE LIMITATIONS.—The total acreage covered at any time by notices of intention to locate a mining claim under paragraph (2) filed by any person and by affiliates of such person may not exceed 6,400 acres of lands subject to this Act in any one State and 160 acres or one-tenth of any contiguous parcel of land, whichever is greater (except that in no instance shall the total acreage exceed 640 acres), for a single surface owner. For purposes of this paragraph, the term 'affiliate' means, with respect to any person, any other person which controls, is controlled by, or is under common control with, such person.

"(c) CONSENT.—Notwithstanding subsection (a) and any other provision of law, after the effective date of this subsection no person may engage in the conduct of mineral activities (other than those relating to exploration referred to in subsection (b)(1)B)) on a miing claim located on lands subject to this Act without the written consent of the surface owner thereof unless the Secretary has authorized the conduct of such activities under subsection (d).

"(d) AUTHORIZED MINERAL ACTIVITIES.—The Secretary may authorize a person to conduct mineral activities (other than those relating to exploration referred to in subsection (b)(1)(B)) on lands subject to this Act without the consent of the surface owner thereof if such person complies with the requirements of subsections (e) and (f).

"(e) BOND.—(1) Before the Secretary may authorize any person to conduct mineral activities the Secretary shall require such person to post a bond or other financial guarantee in an amount to insure the completion of reclamation satisfying the requirements of this subsection and subsection (h). The bond or other financial guarantee shall be held for the duration of the mineral activities and for an additional period to cover the responsibility of the person conducting such mineral activities for revegetation under subsection (h)(6). Such bond or other financial guarantee shall also insure—

"(A) payment to the surface owner, after the completion of such mineral activities and reclamation, compensation for any permanent damages to crops and tangible improvements of the surface owner that resulted from mineral activities; and

"(B) payment to the surface owner of compensation for any permanent loss of income of the surface owner due to loss or impairment of grazing, or other uses of the land by the surface owner to the extent that reclamation required by the plan of operations would not permit such uses to continue at the level existing prior to the commencement of mineral activities.

"(2) In determining the bond amount to cover permanent loss of income under paragraph (1)(B), the Secretary shall consider, where appropriate, the potential loss of value due to the estimated permanent reduction in utilization of the land.

"(f) PLAN OR OPERATIONS.—(1) Before the Secretary may authorize any person to conduct mineral activities on lands subject this Act, the Secretary shall require such person to submit a plan of operations. The Secretary shall require that mineral activities and reclamation under such plan be conducted in such a way so as to minimize adverse impacts to the environment. A plan under this subsection shall also include procedures for—

"(A) the minimization of damages to crops and tangible improvements of the surface owner;

"(B) the minimization of disruption to grazing or other uses of the land by the surface owner; and

"(C) payment of a fee equivalent to the loss of income to the ranch operation as established pursuant to subsection (g).

"(2) The Secretary shall provide a copy of the proposal plan of operations to the surface owner at least 60 days prior to the date the Secretary makes a determination as to whether such plan complies with the requirements of this subsection. During such 60-day period the surface owner may submit comments and recommend modifications to the proposed plan of operations to the Secretary.

"(3) The Secretary may approve, require modifications to, or deny a proposed plan of operations. To approve a plan of operations, the Secretary shall make each of the following determinations:

"(A) The proposed plan of operations is complete and accurate.

"(B) The person submitting the proposed plan of operations has demonstrated that reclamation as required under subsection (h) can be accomplished under the plan and would have a high probability of success based on an analysis of such reclamation measures in areas of similar geochemistry, topography and hydrology.

"(C) The person submitting the proposed plan of operations has demonstrated that all other applicable Federal and State requirements have been met.

"(4) Final approval of a plan of operations under this subsection shall be conditioned upon compliance with subsections (e) and (g).

"(g) FEE.—The fee referred to in subsection (f)(2) shall be—

"(1) paid to the surface owner by the person submitting the plan of operations;

"(2) paid in advance of any mineral activities or at such other time or times as may be agreed to by the surface owner and the person conducting such activities; and

"(3) established by the Secretary taking into account the acreage involved and the degree of potential disruption to existing surface uses (including the loss of income to the surface owner and such surface owner's operations due to the loss or impairment of existing surface uses for the duration of the mineral activities).

"(h) RECLAMATION.—Except as provided under paragraphs (5) and (7), lands affected by mineral activities under a plan of operations approved pursuant to subsection (f)(3) shall be reclaimed to a condition capable of supporting the uses to which such lands were capable of supporting prior to surface disturbance. Except as provided under paragraphs (5) and (7), the surface area disturbed by mineral activities shall be backfilled, graded and contoured to its natural topography. Reclamation shall proceed as contemporaneously as practicable with the conduct of mineral activities. For the purposes of such reclamation, the Secretary shall establish reclamation standards which shall include, but not

necessarily be limited to, provisions to require each of the following; except that any such standard may be modified only with the consent of the surface owner as part of an approved plan of operations:

"(1) TOPSOIL.—(A) Topsoil removed from lands affected by mineral activities shall be segregated from other spoil material and protected for later use in reclamation. If such topsoil is not replaced on a backfill area within a timeframe short enough to avoid deterioration of the topsoil, vegetative cover or other means shall be used so that the topsoil is preserved from wind and water erosion, remains free of any contamination by acid or other toxic material, and is in a useable condition for sustaining vegetation when restored during reclamation.

"(B) In the event the topsoil from lands affected by mineral activities is of insufficient quantity or of inferior quality for sustaining vegetation, and other suitable growth media removed from the lands affected by the mineral activities are available that shall support vegetation, the best available growth medium shall be removed, segregated and preserved in a like manner as under subparagraph (A) for sustaining vegetation when restored during reclamation.

"(2) STABILIZATION.—All surface areas affected by mineral activities, including spoil material piles, waste material piles, ore piles, subgrade ore piles, and open or partially backfilled mine pits which meet the requirements of paragraph (5) shall be stabilized and protected during mineral activities and reclamation so as to effectively control erosion and minimize attendant air and water pollution.

"(3) EROSION.—Facilities such as but not limited to basins, ditches, streambank stabilization, diversions or other measures, shall be designed, constructed and maintained where necessary to control erosion and drainage of the area affected by mineral activities including spoil material piles and waste material piles prior to the use of such material to comply with the requirements of this subsection, and for the purposes of paragraph (7), and including ore piles and subgrade ore piles.

"(4) HYDROLOGIC BALANCE.—(A) Mineral activities shall be conducted to minimize disturbances to the prevailing hydrologic balance of the area subject to mineral activities and adjacent areas and to the quality and quantity of water in surface and ground water systems in the area subject to mineral activities and adjacent areas.

"(B) Mineral activities shall, to the extent possible, prevent the generation of acid or toxic drainage during the mineral activities and reclamation; and the operator shall prevent the contamination of surface and ground water with acid or other toxic mine drainage and shall prevent or remove water from contact with acid or toxic producing deposits.

"(C) Mineral activities shall be conducted to prevent, to the extent possible, disruption to streamflow, or runoff outside the area covered by the plan of operations, and in no event shall be in excess of requirements set by applicable State or Federal law.

"(D) Reclamation shall, to the extent possible, also include restoration of the recharge capacity of the area subject to mineral activities to approximate premining condition; except that where surface or underground water sources used for domestic or agricultural use have been diminished, contaminated or interrupted as a proximate result of mineral activities, such water resource shall be restored or replaced.

"(5) PIT BACKFILLING/GRADING VARIANCE.—(A) The requirement to backfill, grade and contour land to its natural topography shall not apply with respect to an open mine pit if the Secretary finds that such open pit or partially backfilled pit would not pose a threat to the public health or safety or have an adverse effect on the environment in terms of surface or ground water pollution.

"(B) In instances where complete backfilling of an open pit is not required, the pit shall be graded to blend with the surrounding topography as much as practicable and revegetated in accordance with paragraph (6).

"(6) REVEGETATION.—(A) Except in such instances where the complete backfill of an open mine pit is not required under paragraph (5), the area affected by mineral activities, including any excess spoil material pile and excess waste pile, shall be revegetated in order to establish a diverse, effective and permanent vegetative cover of the same seasonal variety native to the area affected by mineral activities, capable of self-regeneration and plant succession and at least equal in extent of cover to the natural revegetation of the surrounding area.

"(B) In order to insure compliance with subparagraph (A), the period for determining successful revegetation shall be for a period of 5 full years after the last year of augmented seeding, fertilizing, irrigation or other work, except that such period shall be 10 full years where the annual average precipitation is 26 inches or less.

"(7) EXCESS SPOIL AND WASTE.—(A) Excess spoil material and excess waste material shall be transported and placed in approved areas, in a controlled manner in such a way so as to assure long-term mass stability and to prevent mass movement. In addition to the measures described under paragraph (3), internal drainage systems shall be employed, as may be required, to control erosion and drainage. The design of such excess spoil material piles and excess waste material piles shall be certified by a qualified professional engineer.

"(B) Excess spoil material piles and excess waste material piles shall be graded and contoured to blend with the surrounding topography as much as practicable and revegetated in accordance with paragraph (6).

"(8) SEALING.—All drill holes, and openings on the surface associated with underground mineral activities, shall be sealed when no longer needed for the conduct of mineral activities to ensure protection of the public, wildlife and the environment.

"(9) STRUCTURES.—All buildings, structures or equipment constructed, used or improved during the mineral activity shall be removed, unless the Secretary determines that the buildings, structures or equipment shall be of beneficial use in accomplishing the post-mining uses or for environmental monitoring.

"(i) STATE LAW.—(1) Nothing in this Act shall be construed as affecting any reclamation, bonding, inspection, enforcement, air or water quality standard or requirement of any State law or regulation which may be applicable to mineral activities on lands subject to this Act to the extend that such law or regulation is not inconsistent with this title.

"(2) Nothing in this Act shall be construed as affecting in any way the right of any person to enforce or protect, under applicable law, his interest in water resources affected by mineral activities.

"(j) INSPECTIONS.—(1) The Secretary shall make such inspections of mineral activities under a plan of operations approved under subsection (f) so as to ensure compliance with the terms and conditions of such plan. The Secretary shall establish a frequency of inspections for mineral activities conducted under such an approved plan of operations, but in no event shall such inspection frequency be less than one complete inspection per calendar quarter.

"(2) Any surface owner of land subject to this Act has reason to believe that they are or may be adversely affected by mineral activities due to any violation of the terms and conditions of a plan of operations approved under subsection (f), such surface owner may request an inspection. The Secretary shall determine within 10 days of the receipt of the request whether the request states a reason to believe that a violation exists, except in the event the surface owners alleges and provides reason to believe that an imminent danger, as provided in subsection (k)(2), exists the 10 day period shall be waived and the inspection conducted immediately. When an inspection is conducted under this paragraph, the Secretary shall notify the surface owner and such surface owner shall be allowed to accompany the inspector on the inspection.

"(k) ENFORCEMENT.—(1) If the Secretary or the authorized representative of the Secretary determines, on the basis of an inspection that the operator is in violation of the terms and conditions of a plan of operations approved under subsection (f), the Secretary or his authorized representative shall issue a notice of violation to the operator describing the violation and the corrective measures to be taken. The Secretary or his authorized representative shall provide such operator with a reasonable period of time to abate the violation. If, upon the expiration of time provided for such abatement, the Secretary or his authorized representative finds that the violation has not been abated he shall immediately order a cessation of all mineral activities or the portion thereof relevant to the violation.

"(2) If the Secretary or his authorized representative determines, on the basis of an inspection, that any condition or practice exists with respect to mineral activities conducted on lands subject to this Act, or that an operator is in violation of the surface management requirements established pursuant to this section, and such condition, practice or violation is causing, or can reasonably be expected to cause—

"(A) an imminent danger to the health or safety of the surface owner of land subject to this Act, or

"(B) significant, imminent environmental harm to land, air or water resources,

the Secretary or his authorized representative shall immediately order a cessation of such mineral activities or the portion thereof causing such condition, practice or violation.

"(3)(A) A cessation order by the Secretary or his authorized representative pursuant to paragraphs (1) or (2) shall remain in effect until the Secretary or his authorized representative determines that the condition, practice or violation has been abated, or until modified, vacated or terminated by the Secretary or his authorized representative. In any such order, the Secretary or his authorized representative shall determine the steps necessary to abate the violation in the most expeditious manner possible, and shall include the necessary measures in the order. The Secretary shall require appropriate financial assurances to insure that the abatement obligations are met.

"(B) Any notice or order issued pursuant to paragraphs (1) or (2) may be modified, vacated or terminated by the Secretary or his authorized representative. An operator, or person conducting mineral activities under section 201(b)(2), issued any such notice or order shall be entitled to a hearing on the record.

"(4) If, after 30 days of the date of the order referred to in paragraph (3)(A), the required abatement has not occurred the Secretary shall take such alternative enforcement action against the responsible parties as will most likely bring about abatement in the most expeditious manner possible. Such alternative enforcement action shall include, but is not necessarily limited to, seeking appropriate injunctive relief to bring about abatement.

"(5) In the event an operator conducting mineral activities under a plan of operations ap-

proved under subsection (f) is unable to abate a violation or defaults on the terms of the plan of operation the Secretary may cause forfeiture of the bond or other financial guarantee for the plan of operations to the extent necessary to ensure abatement and reclamation.

"(l) COMPLIANCE.—The Secretary may request the Attorney General to institute a civil action for relief, including a permanent or temporary injunction or restraining order, in the district court of the United States for the district in which the mineral activities are located whenever an operator: (A) violates, fails or refuses to comply with any order issued by the Secretary under subsection (k); or (B) interferes with, hinders or delays the Secretary in carrying out an inspection under subsection (j). Such court shall have jurisdiction to provide such relief as may be appropriate. Any relief granted by the court to enforce an order under clause (A) shall continue in effect until the completion or final termination of all proceedings for administrative review of such order, unless the district court granting such relief sets it aside or modifies it.

"(m) PENALTIES.—(1) Any operator who fails to comply with the terms and conditions of a plan of operations approved under subsection (f) shall be liable for a penalty of not more than $5,000 per violation. Each day of continuing violation may be deemed a separate violation for purposes of penalty assessments. No civil penalty under this subsection shall be assessed until the operator charged with the violation has been given the opportunity for a hearing.

"(2) An operator who fails to correct a violation for which a cessation order has been issued under subsection (k) within the period permitted for its correction shall be assessed a civil penalty of not less than $1,000 per violation for each day during which such failure continues, but in no event shall such assessment exceed a 30-day period.

"(n) DAMAGES FOR FAILURE TO COMPLY.—(1) Whenever the surface owner of any land subject to this Act has suffered any permanent damages to crops or tangible improvements of the surface owner, or any permanent loss of income due to loss or impairment of grazing, or other uses of the land by the surface owner, the surface owner may bring an action in the appropriate United States district court for treble damages, and the court may award such damages if such damages or loss results—

"(A) from any mineral activity undertaken without the consent of the surface owner under subsection (c) or an authorization by the Secretary under subsection (d); or

"(B) from the failure of a person conducting mineral activities on lands subject to this Act approved under subsection (f) to abate a violation under subsection (k).

"(2) The surface owner of any land subject to this Act may also bring an action in the appropriate United States district court for treble damages against any person undertaking any mineral activities on lands subject to this Act in violation of any requirement of subsection (b).

"(3) Treble damages awarded by the court under this subsection shall be reduced by the amount of any compensation which the surface owner has received (or is eligible to receive) pursuant to the bond or financial guarantee required under subsection (e).

"(o) PAYMENT OF DAMAGES.—The surface owner of any land subject to this Act may petition the Secretary for payment of all or any portion of a bond or other financial guarantee required under subsection (e) as compensation for any permanent damages to crops and tangible improvements of the surface owner, or any permanent or temporary loss of income due to loss or impairment of grazing, or other uses of the land by the surface owner. Pursuant to such a petition, the Secretary may use such bond or other guarantee to provide compensation to the surface owner for such damages and to insure the required reclamation.

"(p) BOND RELEASE.—The Secretary shall release the bond or other financial guarantee required under subsection (e) upon the successful completion of all requirements pursuant to a plan of operations approved under subsection (f).

"(q) CONVEYANCE TO SURFACE OWNER.—(1) The Secretary may convey interests owned by the United States (including mineral interests) in lands subject to this Act to the surface owner pursuant to the provisions of section 209 of the Federal Land Policy and Management Act of 1976 without regard to the requirements contained in such provisions that findings be made under subsection (b) of such section.

"(2) The Secretary shall take such actions as may be necessary to simplify the procedures which must be complied with by surface owners of lands subject to this Act who apply to the Secretary to obtain title to interests in such lands owned by the United States.

"(3) Notwithstanding any other provision of law, the Secretary may not convey mineral interests in lands subject to this Act to any person other than the surface owner of such lands without obtaining the consent of such surface owner.

"(r) DEFINITIONS.—For the purposes of subsections (b) through (q)—

"(1) The term 'mineral activities' means any activity for, related to or incidental to mineral exploration, mining, and beneficiation activities for any locatable mineral on a mining claim. When used with respect to this term—

"(A) The term 'exploration' means those techniques employed to locate the presence of a locatable mineral deposit and to establish its nature, position, size, shape, grade and value;

"(B) The term 'mining' means the processes employed for the extraction of a locatable mineral from the earth; and

"(C) The term 'beneficiation' means the crushing and grinding of locatable mineral ore and such processes are employed to free the mineral from other constituents, including but not necessarily limited to, physical and chemical separation techniques.

"(2) The term 'mining claim' means a claim located under the general mining laws of the United States (which generally comprise 30 U.S.C. chapters 2, 12A, and 16, and sections 161 and 162) subject to the terms and conditions of subsections (b) through (q) of this section.

"(s) MINERALS COVERED.—Subsections (b) through (q) of this section apply only to minerals not subject to disposition under—

"(1) the Mineral Leasing Act (30 U.S.C. 181 and following);

"(2) the Geothermal Steam Act of 1970 (30 U.S.C. 100 and following); or

"(3) the Act of July 31, 1947, commonly known as the Materials Act of 1947 (30 U.S.C. 601 and following).".

(b) FEES.—The Secretary may establish such user fees as may be necessary to reimburse the United States for expenses incurred in administering this section.

(c) TECHNICAL CONFORMING AMENDMENT.—Section 9 of the Act of December 29, 1916, entitled "An Act to provide for stock-raising homesteads, and for other purposes" (43 U.S.C. 299) is amended by inserting "(a) GENERAL PROVISIONS.—" before the words "That all entries made".

(d) EFFECTIVE DATE.—The amendments made by this Act shall take effect 180 days after the date of enactment.

(e) REGULATIONS.—The Secretary of the Interior shall issue final regulations to implement the amendments made by this Act not later than the effective date of this Act. Failure to promulgate these regulations by reason of any appeal or judicial review shall not delay the effective date as specified in paragraph (d).

AMENDMENT OFFERED BY MR. RAHALL

Mr. RAHALL. Madam Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. RAHALL: Page 23, after line 15, insert:

"(3) The term 'tangible improvements' includes agricultural, residential and commercial improvements, including improvements made by residential subdividers."

Mr. RAHALL. Madam Chairman, this is a technical amendment. It would define the term "tangible improvements" used in the bill as including residential and commercial improvements, as well as agricultural improvements, made to stock raising lands.

Again, it is a technical amendment and it is my understanding this has been cleared with the minority. I ask for the adoption of the amendment.

Mrs. VUCANOVICH. Madam Chairman, if the gentleman will yield, the minority has no objection to the amendment.

Mr. RAHALL. Madam Chairman, I urge adoption of the amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from West Virginia [Mr. RAHALL].

The amendment was agreed to.

AMENDMENT OFFERED BY MR. TRAFICANT

Mr. TRAFICANT. Madam Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. TRAFICANT: At the end of the bill, add the following new section:

SEC. . Report to Congress on Foreign Interest Landholdings.

The Secretary of the Department of Interior is directed to report annually to Congress on the control by foreign firms of the acreage and facilities on lands covered by the 1916 Stock Raising Homestead Act.

(a) DEFINITIONS.—For purposes of this amendment:

(1) The term "domestic firm" means a business entity that is incorporated in the United States, conducts business operations in the United States, and at least 50 percent of its assets are held by private citizens and/or business entities of the United States.

(2) The term "foreign firm" means a business entity that is not described under paragraph (1).

Mr. TRAFICANT (during the reading). Madam Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. TRAFICANT. Madam Chairman, I would just like to offer this in addition to the statement made earlier. In a pamphlet in a paper prepared by the Mineral Policy Center, Washington, DC, in June 1991, headed by the caption, "Who Owns the Gold Mines in America?"

Now, 18 of the mines of the top 25 on the list, 18 or at least 40 percent or more are controlled or owned by foreign interests now.

As I look briefly at America, and we are moving into the future, we talk about competitiveness which is another bill coming up today, here is a country, Japan, half the size of us in population, about 130 million people, located in a country the size of California with no natural resources, we have the resources, we have the technology, we are going bankrupt and we are in fact surrendering our raw resources to foreign ownership, and we are not even making reports around here.

When we talk about reports, they say we are bogging the Government down with paperwork. Even the gentleman from Pennsylvania [Mr. MURTHA] knows that cannot be tolerated.

I just would like to say that my amendment is designed to deal with the interests of the vice chairman of the subcommittee. I have talked with the gentlewoman from Nevada [Mrs. VUCANOVICH] on that.

I would in fact agree to any tailoring to be made in that regard. The major concerns are for those minerals that were listed earlier.

So I would ask, I know there might be some problem with this thing in conference the way it looks. I would hope that when that is all ironed out that my amendment would be accepted without prejudice, make the changes necessary to incorporate the legislative intent that we have discussed and keep it in the bill.

Mr. RAHALL. Madam Chairman, will the gentleman yield?

Mr. TRAFICANT. I yield to the gentleman from West Virginia [Mr. RAHALL], the chairman of the subcommittee.

Mr. RAHALL. Madam Chairman, the gentleman from Ohio raises an interesting point with his amendment.

The fact of the matter is that a good deal of hardrock mining that occurs on Federal lands in the West is done, as the gentleman has so well stated, by foreign-controlled corporations.

In fact, 18 of the top 25 hardrock mines in the West have foreign interests involved. Moreover, under U.S. mining law, these foreign companies can mine valuable minerals on Federal land for free.

No rentals and no royalties accrue to the Treasury from the use of, and production of minerals from, these lands. And I would remind my colleagues that these are minerals owned by the American taxpayer.

The gentleman's amendment makes a great deal of sense, and I would urge its adoption.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Ohio [Mr. TRAFICANT].

The amendment was agreed to.

The CHAIRMAN. Are there any further amendments to the bill? If not, the question is on the committee amendment in the nature of a substitute, as amended.

The committee amendment in the nature of a substitute, as amended, was agreed to.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore [Mr. MURTHA] having assumed the chair, Mrs. SCHROEDER, Chairman of the Committee on the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 450) to amend the Stock Raising Homestead Act to resolve certain problems regarding subsurface estates, and for other purposes, pursuant to House Resolution 561, she reported the bill back to the House with an amendment adopted by the Committee of the Whole.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment to the committee amendment in the nature of a substitute adopted by the Committee of the Whole? If not, the question is on the amendment.

The amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

The SPEAKER pro tempore. Pursuant to the provisions of House Resolution, 561, the Committee on Interior and Insular Affairs is discharged from further consideration of the Senate bill (S. 1187) to amend the Stock Raising Homestead Act to provide certain procedures for entry onto Stock Raising Homestead Act lands, and for other purposes.

The Clerk read the title of the Senate bill.

MOTION OFFERED BY MR. RAHALL

Mr. RAHALL. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. RAHALL moves to strike all after the enacting clause of the Senate bill, S. 1187, and to insert in lieu thereof the provisions of the bill, H.R. 450, as passed by the House, as follows:

SECTION 1. MINING CLAIMS ON STOCK RAISING HOMESTEAD ACT LANDS.

(a) MINERAL ENTRY UNDER THE STOCK RAISING HOMESTEAD ACT.—Section 9 of the Act of December 29, 1916, entitled "An act to provide for stock-raising homesteads, and for other purposes (43 U.S.C. 299) is amended by adding the following at the end thereof:

"(b) EXPLORATION; LOCATION OF MINING CLAIMS; NOTICES.—

"(1) IN GENERAL.—(A) Notwithstanding subsection (a) and any other provision of law to the contrary, after the effective date of this subsection no person other than the surface owner may enter lands subject to this Act to explore for, or to locate, a mining claim on such lands without—

"(i) filing a notice of intention to locate a mining claim pursuant to paragraph (2); and

"(ii) providing notice to the surface owner pursuant to paragraph (3).

"(B) Any person who has complied with the requirements referred to in subparagraph (A) may, during the authorized exploration period, in order to locate a mining claim, enter lands subject to this Act to undertake mineral activities related to exploration that cause no more than a negligible disturbance of surface resources and do not involve the use of mechanized equipment, explosives, the construction of roads, drill pads, or the use or toxic or hazardous materials.

"(C) The authorized exploration period referred to in subparagraph (B) shall begin 30 days after notice is provided under paragraph (3) with respect to lands subject to such notice and shall end with the expiration of the 60-day period referred to in paragraph (2)(A) or any extension provided under paragraph (2)(B).

"(2) NOTICE OF INTENTION TO LOCATE A MINING CLAIM.—Any person seeking to locate a mining claim on lands subject to this Act in order to engage in the mineral activities relating to exploration referred to under paragraph (1)(B) may file with the Secretary of the Interior a notice of intention to locate a claim on the lands concerned. The notice shall be in such form as the Secretary shall prescribe. The notice shall contain the name and mailing address of the person filing the notice and a legal description of the lands to which the notice applies. The legal description shall be based on the public land survey or on such other description as is sufficient to permit the Secretary to record the notice on his land status records. Whenever any person has filed a notice under this subparagraph with respect to any lands, during the 60-day period following the date of such filing, no other person (including the surface owner) may—

"(A) file such a notice with respect to any portions of such lands;

"(B) explore for minerals or locate a mining claim on any portion of such lands; or

"(C) acquire any interest in any portion of such lands pursuant to section 209 of the Federal Land Policy and Management Act of 1977 (43 U.S.C. 1719).

"(3) NOTICE TO SURFACE OWNER.—Any person who has filed a notice of intention to locate a mining claim under paragraph (2) for any lands subject to this Act shall provide written notice of such filing by registered or certified mail with return receipt to the surface owner (as evidenced by local tax records) of the lands covered by the notice under paragraph (2). Possession of the return receipt signed by the surface owner shall be necessary prior to entering such lands. The notice shall be provided at least 30 days before entering such lands and shall contain each of the following:

"(A) A brief description of the proposed mineral activities.

"(B) A map and legal description of the lands to be subject to mineral exploration.

"(C) The name, address and phone number of the person managing such activities.

"(D) A statement of the dates on which such activities will take place.

"(4) ACREAGE LIMITATIONS.—The total acreage covered at any time by notices of intention to locate a mining claim under paragraph (2) filed by any person and by affiliates of such person may not exceed 6,400 acres of lands subject to this Act in any one State and 160 acres or one-tenth of any contiguous parcel of land, whichever is greater (except that in no instance shall the total acreage exceed 640 acres), for a single surface owner. For purposes of this paragraph, the term 'affiliate' means, with respect to any person, any other person which controls, is controlled by, or is under common control with, such person.

"(c) CONSENT.—Notwithstanding subsection (a) and any other provision of law, after the ef-

fective date of this subsection no person may engage in the conduct of mineral activities (other than those relating to exploration referred to in subsection (b)(1)B)) on a mining claim located on lands subject to this Act without the written consent of the surface owner thereof unless the Secretary has authorized the conduct of such activities under subsection (d).

"(d) AUTHORIZED MINERAL ACTIVITIES.—The Secretary may authorize a person to conduct mineral activities (other than those relating to exploration referred to in subsection (b)(1)(B)) on lands subject to this Act without the consent of the surface owner thereof if such person complies with the requirements of subsections (e) and (f).

"(e) BOND.—(1) Before the Secretary may authorize any person to conduct mineral activities the Secretary shall require such person to post a bond or other financial guarantee in an amount to insure the completion of reclamation satisfying the requirements of this subsection and subsection (h). The bond or other financial guarantee shall be held for the duration of the mineral activities and for an additional period to cover the responsibility of the person conducting such mineral activities for revegetation under subsection (h)(6). Such bond or other financial guarantee shall also insure—

"(A) payment to the surface owner, after the completion of such mineral activities and reclamation, compensation for any permanent damages to crops and tangible improvements of the surface owner that resulted from mineral activities; and

"(B) payment to the surface owner of compensation for any permanent loss of income of the surface owner due to loss or impairment of grazing, or other uses of the land by the surface owner to the extent that reclamation required by the plan of operations would not permit such uses to continue at the level existing prior to the commencement of mineral activities.

"(2) In determining the bond amount to cover permanent loss of income under paragraph (1)(B), the Secretary shall consider, where appropriate, the potential loss of value due to the estimated permanent reduction in utilization of the land.

"(f) PLAN OR OPERATIONS.—(1) Before the Secretary may authorize any person to conduct mineral activities on lands subject this Act, the Secretary shall require such person to submit a plan of operations. The Secretary shall require that mineral activities and reclamation under such plan be conducted in such a way so as to minimize adverse impacts to the environment. A plan under this subsection shall also include procedures for—

"(A) the minimization of damages to crops and tangible improvements of the surface owner;

"(B) the minimization of disruption to grazing or other uses of the land by the surface owner; and

"(C) payment of a fee equivalent to the loss of income to the ranch operation as established pursuant to subsection (g).

"(2) The Secretary shall provide a copy of the proposal plan of operations to the surface owner at least 60 days prior to the date the Secretary makes a determination as to whether such plan complies with the requirements of this subsection. During such 60-day period the surface owner may submit comments and recommend modifications to the proposed plan of operations to the Secretary.

"(3) The Secretary may approve, require modifications to, or deny a proposed plan of operations. To approve a plan of operations, the Secretary shall make each of the following determinations:

"(A) The proposed plan of operations is complete and accurate.

"(B) The person submitting the proposed plan of operations has demonstrated that reclamation as required under subsection (h) can be accomplished under the plan and would have a high probability of success based on an analysis of such reclamation measures in areas of similar geochemistry, topography and hydrology.

"(C) The person submitting the proposed plan of operations has demonstrated that all other applicable Federal and State requirements have been met.

"(4) Final approval of a plan of operations under this subsection shall be conditioned upon compliance with subsections (e) and (g).

"(g) FEE.—The fee referred to in subsection (f)(2) shall be—

"(1) paid to the surface owner by the person submitting the plan of operations;

"(2) paid in advance of any mineral activities or at such other time or times as may be agreed to by the surface owner and the person conducting such activities; and

"(3) established by the Secretary taking into account the acreage involved and the degree of potential disruption to existing surface uses (including the loss of income to the surface owner and such surface owner's operations due to the loss or impairment of existing surface uses for the duration of the mineral activities).

"(h) RECLAMATION.—Except as provided under paragraphs (5) and (7), lands affected by mineral activities under a plan of operations approved pursuant to subsection (f)(3) shall be reclaimed to a condition capable of supporting the uses to which such lands were capable of supporting prior to surface disturbance. Except as provided under paragraphs (5) and (7), the surface area disturbed by mineral activities shall be backfilled, graded and contoured to its natural topography. Reclamation shall proceed as contemporaneously as practicable with the conduct of mineral activities. For the purposes of such reclamation, the Secretary shall establish reclamation standards which shall include, but not necessarily be limited to, provisions to require each of the following; except that any such standard may be modified only with the consent of the surface owner as part of an approved plan of operations:

"(1) TOPSOIL.—(A) Topsoil removed from lands affected by mineral activities shall be segregated from other spoil material and protected for later use in reclamation. If such topsoil is not replaced on a backfill area within a timeframe short enough to avoid deterioration of the topsoil, vegetative cover or other means shall be used so that the topsoil is preserved from wind and water erosion, remains free of any contamination by acid or other toxic material, and is in a useable condition for sustaining vegetation when restored during reclamation.

"(B) In the event the topsoil from lands affected by mineral activities is of insufficient quantity or of inferior quality for sustaining vegetation, and other suitable growth media removed from the lands affected by the mineral activities are available that shall support vegetation, the best available growth medium shall be removed, segregated and preserved in a like manner as under subparagraph (A) for sustaining vegetation when restored during reclamation.

"(2) STABILIZATION.—All surface areas affected by mineral activities, including spoil material piles, waste material piles, ore piles, subgrade ore piles, and open or partially backfilled mine pits which meet the requirements of paragraph (5) shall be stabilized and protected during mineral activities and reclamation so as to effectively control erosion and minimize attendant air and water pollution.

"(3) EROSION.—Facilities such as but not limited to basins, ditches, streambank stabilization, diversions or other measures, shall be designed, constructed and maintained where necessary to control erosion and drainage of the area affected by mineral activities including spoil material piles and waste material piles prior to the use of such material to comply with the requirements of this subsection, and for the purposes of paragraph (7), and including ore piles and subgrade ore piles.

"(4) HYDROLOGIC BALANCE.—(A) Mineral activities shall be conducted to minimize disturbances to the prevailing hydrologic balance of the area subject to mineral activities and adjacent areas and to the quality and quantity of water in surface and ground water systems in the area subject to mineral activities and adjacent areas.

"(B) Mineral activities shall, to the extent possible, prevent the generation of acid or toxic drainage during the mineral activities and reclamation; and the operator shall prevent the contamination of surface and ground water with acid or other toxic mine drainage and shall prevent or remove water from contact with acid or toxic producing deposits.

"(C) Mineral activities shall be conducted to prevent, to the extent possible, disruption to streamflow, or runoff outside the area covered by the plan of operations, and in no event shall be in excess of requirements set by applicable State or Federal law.

"(D) Reclamation shall, to the extent possible, also include restoration of the recharge capacity of the area subject to mineral activities to approximate premining condition; except that where surface or underground water sources used for domestic or agricultural use have been diminished, contaminated or interrupted as a proximate result of mineral activities, such water resource shall be restored or replaced.

"(5) PIT BACKFILLING/GRADING VARIANCE.—(A) The requirement to backfill, grade and contour land to its natural topography shall not apply with respect to an open mine pit if the Secretary finds that such open pit or partially backfilled pit would not pose a threat to the public health or safety or have an adverse effect on the environment in terms of surface or ground water pollution.

"(B) In instances where complete backfilling of an open pit is not required, the pit shall be graded to blend with the surrounding topography as much as practicable and revegetated in accordance with paragraph (6).

"(6) REVEGETATION.—(A) Except in such instances where the complete backfill of an open mine pit is not required under paragraph (5), the area affected by mineral activities, including any excess spoil material pile and excess waste pile, shall be revegetated in order to establish a diverse, effective and permanent vegetative cover of the same seasonal variety native to the area affected by mineral activities, capable of self-regeneration and plant succession and at least equal in extent of cover to the natural revegetation of the surrounding area.

"(B) In order to insure compliance with subparagraph (A), the period for determining successful revegetation shall be for a period of 5 full years after the last year of augmented seeding, fertilizing, irrigation or other work, except that such period shall be 10 full years where the annual average precipitation is 26 inches or less.

"(7) EXCESS SPOIL AND WASTE.—(A) Excess spoil material and excess waste material shall be transported and placed in approved areas, in a controlled manner in such a way so as to assure long-term mass stability and to prevent mass movement. In addition to the measures described under paragraph (3), internal drainage systems shall be employed, as may be required, to control erosion and drainage. The design of such excess spoil material piles and excess waste material piles shall be certified by a qualified professional engineer.

"(B) Excess spoil material piles and excess waste material piles shall be graded and

contoured to blend with the surrounding topography as much as practicable and revegetated in accordance with paragraph (6).

"(8) SEALING.—All drill holes, and openings on the surface associated with underground mineral activities, shall be sealed when no longer needed for the conduct of mineral activities to ensure protection of the public, wildlife and the environment.

"(9) STRUCTURES.—All buildings, structures or equipment constructed, used or improved during the mineral activity shall be removed, unless the Secretary determines that the buildings, structures or equipment shall be of beneficial use in accomplishing the post-mining uses or for environmental monitoring.

"(i) STATE LAW.—(1) Nothing in this Act shall be construed as affecting any reclamation, bonding, inspection, enforcement, air or water quality standard or requirement of any State law or regulation which may be applicable to mineral activities on lands subject to this Act to the extend that such law or regulation is not inconsistent with this title.

"(2) Nothing in this Act shall be construed as affecting in any way the right of any person to enforce or protect, under applicable law, his interest in water resources affected by mineral activities.

"(j) INSPECTIONS.—(1) The Secretary shall make such inspections of mineral activities under a plan of operations approved under subsection (f) so as to ensure compliance with the terms and conditions of such plan. The Secretary shall establish a frequency of inspections for mineral activities conducted under such an approved plan of operations, but in no event shall such inspection frequency be less than one complete inspection per calendar quarter.

"(2) Any surface owner of land subject to this Act has reason to believe that they are or may be adversely affected by mineral activities due to any violation of the terms and conditions of a plan of operations approved under subsection (f), such surface owner may request an inspection. The Secretary shall determine within 10 days of the receipt of the request whether the request states a reason to believe that a violation exists, except in the event the surface owners alleges and provides reason to believe that an imminent danger, as provided in subsection (k)(2), exists the 10 day period shall be waived and the inspection conducted immediately. When an inspection is conducted under this paragraph, the Secretary shall notify the surface owner and such surface owner shall be allowed to accompany the inspector on the inspection.

"(k) ENFORCEMENT.—(1) If the Secretary or the authorized representative of the Secretary determines, on the basis of an inspection that the operator is in violation of the terms and conditions of a plan of operations approved under subsection (f), the Secretary or his authorized representative shall issue a notice of violation to the operator describing the violation and the corrective measures to be taken. The Secretary or his authorized representative shall provide such operator with a reasonable period of time to abate the violation. If, upon the expiration of time provided for such abatement, the Secretary or his authorized representative finds that the violation has not been abated he shall immediately order a cessation of all mineral activities or the portion thereof relevant to the violation.

"(2) If the Secretary or his authorized representative determines, on the basis of an inspection, that any condition or practice exists with respect to mineral activities conducted on lands subject to this Act, or that an operator is in violation of the surface management requirements established pursuant to this section, and such condition, practice or violation is causing, or can reasonably be expected to cause—

"(A) an imminent danger to the health or safety of the surface owner of land subject to this Act, or

"(B) significant, imminent environmental harm to land, air or water resources,

the Secretary or his authorized representative shall immediately order a cessation of such mineral activities or the portion thereof causing such condition, practice or violation.

"(3)(A) A cessation order by the Secretary or his authorized representative pursuant to paragraphs (1) or (2) shall remain in effect until the Secretary or his authorized representative determines that the condition, practice or violation has been abated, or until modified, vacated or terminated by the Secretary or his authorized representative. In any such order, the Secretary or his authorized representative shall determine the steps necessary to abate the violation in the most expeditious manner possible, and shall include the necessary measures in the order. The Secretary shall require appropriate financial assurances to insure that the abatement obligations are met.

"(B) Any notice or order issued pursuant to paragraphs (1) or (2) may be modified, vacated or terminated by the Secretary or his authorized representative. An operator, or person conducting mineral activities under section 201(b)(2), issued any such notice or order shall be entitled to a hearing on the record.

"(4) If, after 30 days of the date of the order referred to in paragraph (3)(A), the required abatement has not occurred the Secretary shall take such alternative enforcement action against the responsible parties as will most likely bring about abatement in the most expeditious manner possible. Such alternative enforcement action shall include, but is not necessarily limited to, seeking appropriate injunctive relief to bring about abatement.

"(5) In the event an operator conducting mineral activities under a plan of operations approved under subsection (f) is unable to abate a violation or defaults on the terms of the plan of operation the Secretary may cause forfeiture of the bond or other financial guarantee for the plan of operations to the extent necessary to ensure abatement and reclamation.

"(l) COMPLIANCE.—The Secretary may request the Attorney General to institute a civil action for relief, including a permanent or temporary injunction or restraining order, in the district court of the United States for the district in which the mineral activities are located whenever an operator: (A) violates, fails or refuses to comply with any order issued by the Secretary under subsection (k); or (B) interferes with, hinders or delays the Secretary in carrying out an inspection under subsection (j). Such court shall have jurisdiction to provide such relief as may be appropriate. Any relief granted by the court to enforce an order under clause (A) shall continue in effect until the completion or final termination of all proceedings for administrative review of such order, unless the district court granting such relief sets it aside or modifies it.

"(m) PENALTIES.—(1) Any operator who fails to comply with the terms and conditions of a plan of operations approved under subsection (f) shall be liable for a penalty of not more than $5,000 per violation. Each day of continuing violation may be deemed a separate violation for purposes of penalty assessments. No civil penalty under this subsection shall be assessed until the operator charged with the violation has been given the opportunity for a hearing.

"(2) An operator who fails to correct a violation for which a cessation order has been issued under subsection (k) within the period permitted for its correction shall be assessed a civil penalty of not less than $1,000 per violation for each day during which such failure continues, but in no event shall such assessment exceed a 30-day period.

"(n) DAMAGES FOR FAILURE TO COMPLY.—(1) Whenever the surface owner of any land subject to this Act has suffered any permanent damages to crops or tangible improvements of the surface owner, or any permanent loss of income due to loss or impairment of grazing, or other uses of the land by the surface owner, the surface owner may bring an action in the appropriate United States district court for treble damages, and the court may award such damages if such damages or loss results—

"(A) from any mineral activity undertaken without the consent of the surface owner under subsection (c) or an authorization by the Secretary under subsection (d); or

"(B) from the failure of a person conducting mineral activities on lands subject to this Act approved under subsection (f) to abate a violation under subsection (k).

"(2) The surface owner of any land subject to this Act may also bring an action in the appropriate United States district court for treble damages against any person undertaking any mineral activities on lands subject to this Act in violation of any requirement of subsection (b).

"(3) Treble damages awarded by the court under this subsection shall be reduced by the amount of any compensation which the surface owner has received (or is eligible to receive) pursuant to the bond or financial guarantee required under subsection (e).

"(o) PAYMENT OF DAMAGES.—The surface owner of any land subject to this Act may petition the Secretary for payment of all or any portion of a bond or other financial guarantee required under subsection (e) as compensation for any permanent damages to crops and tangible improvements of the surface owner, or any permanent or temporary loss of income due to loss or impairment of grazing, or other uses of the land by the surface owner. Pursuant to such a petition, the Secretary may use such bond or other guarantee to provide compensation to the surface owner for such damages and to insure the required reclamation.

"(p) BOND RELEASE.—The Secretary shall release the bond or other financial guarantee required under subsection (e) upon the successful completion of all requirements pursuant to a plan of operations approved under subsection (f).

"(q) CONVEYANCE TO SURFACE OWNER.—(1) The Secretary may convey interests owned by the United States (including mineral interests) in lands subject to this Act to the surface owner pursuant to the provisions of section 209 of the Federal Land Policy and Management Act of 1976 without regard to the requirements contained in such provisions that findings be made under subsection (b) of such section.

"(2) The Secretary shall take such actions as may be necessary to simplify the procedures which must oe complied with by surface owners of lands subject to this Act who apply to the Secretary to obtain title to interests in such lands owned by the United States.

"(3) Notwithstanding any other provision of law, the Secretary may not convey mineral interests in lands subject to this Act to any person other than the surface owner of such lands without obtaining the consent of such surface owner.

"(r) DEFINITIONS.—For the purposes of subsections (b) through (q)—

"(1) The term 'mineral activities' means any activity for, related to or incidental to mineral exploration, mining, and beneficiation activities for any locatable mineral on a mining claim. When used with respect to this term—

"(A) The term 'exploration' means those techniques employed to locate the presence of a locatable mineral deposit and to establish its nature, position, size, shape, grade and value;

"(B) The term 'mining' means the processes employed for the extraction of a locatable mineral from the earth; and

"(C) The term 'beneficiation' means the crushing and grinding of locatable mineral ore and such processes are employed to free the mineral from other constituents, including but not necessarily limited to, physical and chemical separation techniques.

"(2) The term 'mining claim' means a claim located under the general mining laws of the United States (which generally comprise 30 U.S.C. chapters 2, 12A, and 16, and sections 161 and 162) subject to the terms and conditions of subsections (b) through (q) of this section.

"(3) The term 'tangible improvements' includes agricultural, residential and commercial improvements, including improvements made by residential subdividers.

"(s) MINERALS COVERED.—Subsections (b) through (q) of this section apply only to minerals not subject to disposition under—

"(1) the Mineral Leasing Act (30 U.S.C. 181 and following);

"(2) the Geothermal Steam Act of 1970 (30 U.S.C. 100 and following); or

"(3) the Act of July 31, 1947, commonly known as the Materials Act of 1947 (30 U.S.C. 601 and following).".

(b) FEES.—The Secretary may establish such user fees as may be necessary to reimburse the United States for expenses incurred in administering this section.

(c) TECHNICAL CONFORMING AMENDMENT.—Section 9 of the Act of December 29, 1916, entitled "An Act to provide for stock-raising homesteads, and for other purposes" (43 U.S.C. 299) is amended by inserting "(a) GENERAL PROVISIONS.—" before the words "That all entries made".

(d) EFFECTIVE DATE.—The amendments made by this Act shall take effect 180 days after the date of enactment.

(e) REGULATIONS.—The Secretary of the Interior shall issue final regulations to implement the amendments made by this Act not later than the effective date of this Act. Failure to promulgate these regulations by reason of any appeal or judicial review shall not delay the effective date as specified in paragraph (d).

SEC. 2. REPORT TO CONGRESS ON FOREIGN INTEREST LANDHOLDINGS.

The Secretary of the Department of Interior is directed to report annually to Congress on the control by foreign firms of the acreage and facilities on lands covered by the 1916 Stock Raising Homestead Act.

(a) DEFINITIONS.—For purposes of this amendment:

(1) The term "domestic firm" means a business entity that is incorporated in the United States, conducts business operations in the United States, and at least 50 percent of its assets are held by private citizens and/or business entities of the United States.

(2) The term "foreign firm" means a business entity that is not described under paragraph (1).

The motion was agreed to.

The Senate bill was ordered to be read a third time, was read the third time, and passed.

The title of the Senate bill was amended so as to read: "An act to amend the Stock Raising Homestead Act to resolve certain problems regarding subsurface estates, and for other purposes."

A motion to reconsider was laid on the table.

A similar House bill (H.R. 450) was laid on the table.

GENERAL LEAVE

Mr. RAHALL. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks, and include therein extraneous material, on H.R. 450 and S. 1187, the bills just passed.

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

There was no objection.

□ 1520

WE NEED TO TAKE A LOOK AT FEMA

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

Mr. MONTGOMERY. Mr. Speaker, I rise to tell my colleagues that I had the privilege of going to south Florida this last Saturday. I took a four-man/woman congressional delegation to Florida.

Mr. Speaker, it reminded me of a war zone when we landed there. The buildings were down; trees were blown down. We saw military helicopters, a lot of personnel, and it was really just like a war zone, like there had been an awful fight there.

Luckily, Mr. Speaker, there were no casualties to speak of on that base, and we did have a good visit. It looked to me, Mr. Speaker, that probably we can take the Florida National Guard off of active duty and send them back to their respective homes. They have done a terrific job. They have been on active duty now for 22 days in south Florida.

Mainly, Mr. Speaker, the National Guard has been doing security work, which is protection of property, traffic control, arrests, guarding against looting and stealing, and they have done very well. There are about 21,000 active-duty troops on the ground there working in humanitarian areas, such as working on feeding and housing, and so the military has gotten a lot out of this.

I think the bottom line to me is, Mr. Speaker, that we need to take a good, hard look at FEMA, the Federal Emergency Management Agency, and see if they should have some hearings, as well as our committees, on what action we should take with FEMA. I am convinced FEMA really cannot handle a major, large disaster, and we have to call in the military, we have to call in the Active Forces and the National Guard. So, I would hope that we would start taking some looks at FEMA and maybe consider putting that operation under the Secretary of Defense, not doing away with FEMA, but maybe giving them a little more clout when we do have those major disasters.

ANNOUNCEMENT OF SPECIAL ORDER ON THE LATE JOSEPH L. RAUH

(Mr. EDWARDS of California asked and was given permission to address the House for 1 minute.)

Mr. EDWARDS of California. Mr. Speaker, I would like to remind my colleagues that later this evening, later this afternoon, I will be in charge of a special order so that we may pay tribute to the late Joseph L. Rauh of Washington, DC, one of the great civil rights and constitutional leaders, who passed away last week. It will be later today, and I am hoping to have wide participation.

APPOINTMENT AS MEMBERS OF FUNERAL COMMITTEE OF THE LATE TED WEISS

The SPEAKER pro tempore (Mr. MURTHA). Pursuant to House Resolution 564, the Chair announces as members of the funeral committee of the late Ted Weiss the following Members on the part of the House: Mr. HORTON of New York; Mr. FOLEY of Washington; Mr. GEPHARDT of Missouri; Mr. HOYER of Maryland; Mr. FISH of New York; Mr. LENT of New York; Mr. RANGEL of New York; Mr. GILMAN of New York; Mr. SCHEUER of New York; Mr. DOWNEY of New York.

Mr. LAFALCE of New York; Mr. MCHUGH of New York; Mr. NOWAK of New York; Mr. SOLARZ of New York; Mr. GREEN of New York; Mr. SOLOMON of New York; Mr. MARTIN of New York; Mr. MCGRATH of New York; Mr. SCHUMER of New York; Mr. BOEHLERT of New York.

Mr. MRAZEK of New York; Mr. OWENS of New York; Mr. TOWNS of New York; Mr. ACKERMAN of New York; Mr. MANTON of New York; Mr. FLAKE of New York; Mr. HOCHBRUECKNER of New York; Mr. HOUGHTON of New York; Ms. SLAUGHTER of New York; Mr. ENGEL of New York.

Mrs. LOWEY of New York; Mr. MCNULTY of New York; Mr. PAXON of New York; Mr. WALSH of New York; Ms. MOLINARI of New York; Mr. SERRANO of New York; Mr. FASCELL of Florida; Mr. ROSTENKOWSKI of Illinois; Mr. EDWARDS of California; Mr. ALEXANDER of Arkansas.

Mr. COUGHLIN of Pennsylvania; Mr. DELLUMS of California; Mrs. COLLINS of Illinois; Mr. MILLER of California; Mr. MINETA of California; Mr. RUSSO of Illinois; Mr. WAXMAN of California; Mr. GLICKMAN of Kansas; Mr. PANETTA of California; Mr. VENTO of Minnesota.

Mr. GUARINI of New Jersey; Mr. WILLIAMS of Montana; Mr. WOLPE of Michigan; Mr. FOGLIETTA of Pennsylvania; Mr. FRANK of Massachusetts; Mrs. KENNELLY of Connecticut; Mr. CARR of Michigan; Mr. BERMAN of California; Mr. SMITH of Florida; Mr. TORRES of California.

Mr. WISE of West Virginia; Mr. HAYES of Illinois; Mr. KLECZKA of Wisconsin;

Mr. LEWIS of Georgia; Ms. PELOSI of California; Mr. MCDERMOTT of Washington; Mr. PAYNE of New Jersey; Mr. WASHINGTON of Texas; Mr. SANDERS of Vermont; Mr. BLAZ of Guam; and Mr. FALEOMAVAEGA of American Samoa.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to the provisions of clause 5, rule I, the Chair announces that he will postpone further proceedings today on each motion to suspend the rules on which a recorded vote or the yeas and nays are ordered, or on which the vote is objected to under clause 4 of rule XV.

Such rollcall votes, if postponed, will be taken on Wednesday, September 16, 1992.

TOURISM POLICY AND EXPORT PROMOTION ACT OF 1991

Mr. SWIFT. Mr. Speaker, I move to suspend the rules and concur in the Senate amendment to the House amendments to the Senate bill (S. 680) to amend the International Travel Act of 1961 to assist in the growth of international travel and tourism into the United States, and for other purposes.

The Clerk read as follows:

Senate amendment to House amendments:

In lieu of the matter proposed to be inserted by the House amendment to the text of the bill, insert:

SECTION 1. SHORT TITLE; REFERENCE.

(a) SHORT TITLE.—This Act may be cited as the "Tourism Policy and Export Promotion Act of 1992".

(b) REFERENCE.—Whenever in this Act an amendment or repeal is expressed in terms of an amendment to, or repeal of, a section or other provision, the reference shall be considered to be made to a section or other provision of the International Travel Act of 1961 (22 U.S.C. 2121 et seq.).

SEC. 2. FINDINGS.

The Congress finds that—

(1) the travel and tourism industry is the second largest retail or service industry in the United States;

(2) travel and tourism receipts make up over 6.7 percent of the United States gross national product;

(3) in 1991, the travel and tourism industry generated about six million jobs directly and about two million five hundred thousand indirectly;

(4) travel and tourism expenditures in 1991 were approximately $352,000,000,000;

(5) forty-two million international visitors spent approximately $64,700,000,000 in the United States in 1991;

(6) travel and tourism services ranked as the largest United States business services export in 1991, providing a United States travel trade balance of $16,800,000,000;

(7) many local communities with significant tourism potential are unable to realize the economic and employment opportunities that tourism provides because they lack the necessary local resources and expertise needed to induce tourism trade;

(8) increased efforts directed at the promotion of rural tourism will contribute to the economic development of rural America and further the conservation and promotion of natural, scenic, historic, scientific, educational, inspirational, and recreational resources for future generations of Americans and foreign visitors;

(9) foreign tourists entering the United States are frequently faced with unnecessary delays at the United States border;

(10) advanced technologies, industrial targeting, the industrialization of the Third World, and the flight of some United States manufacturing capacity to overseas locations have affected the international competitiveness of the United States;

(11) exporting those goods and services which United States industry can produce at a comparative cost advantage, such as travel and tourism services, will be in the Nation's long-term strategic interest; and

(12) the emergence of democratic governments in the formerly Communist nations of Eastern Europe and in the former Soviet Union provide new opportunities for United States firms engaged in both the inbound and outbound tourism markets.

SEC. 3. SURVEY OF INTERNATIONAL AIR TRAVELERS.

The Secretary of Commerce, to the extent available resources permit, shall improve the survey of international air travelers conducted to provide the data needed to estimate the Nation's balance of payments in international travel by—

(1) expanding the survey to cover travel to and from the Middle East, Africa, South America, and the Caribbean and enhancing coverage for Mexico, Oceania, the Far East, and Europe; and

(2) improving the methodology for conducting on-board surveys by (A) enhancing communications, training, and liaison activities in cooperation with participating air carriers, (B) providing for the continuation of needed data bases, and (C) utilizing improved sampling procedures.

The Secretary of Commerce shall seek to increase the reporting frequency of the data provided by Statistics Canada and the Bank of Mexico on international travel trade between the United States and both Canada and Mexico. The Secretary shall improve the quarterly statistical report on United States international travel receipts and payments published in the Bureau of Economic Analysis document known as "The Survey of Current Services" and heighten its visibility.

SEC. 4. RURAL TOURISM DEVELOPMENT FOUNDATION.

(a) ESTABLISHMENT OF FOUNDATION.—In order to assist in the development and promotion of rural tourism, there is established a charitable and nonprofit corporation to be known as the Rural Tourism Development Foundation (hereafter in this section referred to as the "Foundation").

(b) FUNCTIONS.—The functions of the Foundation shall be the planning, development, and implementation of projects and programs which have the potential to increase travel and tourism export revenues by attracting foreign visitors to rural America. Initially, such projects and programs shall include—

(1) participation in the development and distribution of educational and promotional materials pertaining to both private and public attractions located in rural areas of the United States, including Federal parks and recreational lands, which can be used by foreign visitors;

(2) development of educational resources to assist in private and public rural tourism development; and

(3) participation in Federal agency outreach efforts to make such resources available to private enterprises, State and local governments, and other persons and entities interested in rural tourism development.

(c) BOARD OF DIRECTORS.—

(1) COMPOSITION.—(A) The Foundation shall have a Board of Directors (hereafter in this section referred to as the "Board") that—

(i) during its first two years shall consist of nine voting members; and

(ii) thereafter shall consist of those nine members plus up to six additional voting members as determined in accordance with the bylaws of the Foundation.

(B)(i) The Under Secretary of Commerce for Travel and Tourism shall, within six months after the date of enactment of this Act, appoint the initial nine voting members of the Board and thereafter shall appoint the successors of each of three such members, as provided by such bylaws.

(ii) The voting members of the Board, other than those referred to in clause (i), shall be appointed in accordance with procedures established by such bylaws.

(C) The voting members of the Board shall be individuals who are not Federal officers or employees and who have demonstrated an interest in rural tourism development. Of such voting members, at least a majority shall have experience and expertise in tourism trade promotion, at least one shall have experience and expertise in resource conservation, at least one shall have experience and expertise in financial administration in a fiduciary capacity, at least one shall be a representative of an Indian tribe who has experience and expertise in rural tourism on an Indian reservation, at least one shall represent a regional or national organization or association with a major interest in rural tourism development or promotion, and at least one shall be a representative of a State who is responsible for tourism promotion.

(D) Voting members of the Board shall each serve a term of six years, except that—

(i) initial terms shall be staggered to assure continuity of administration;

(ii) if a person is appointed to fill a vacancy occurring prior to the expiration of the term of the person's predecessor, that person shall serve only for the remainder of the predecessor's term; and

(iii) any such appointment to fill a vacancy shall be made within sixty days after the vacancy occurs.

(2) EX-OFFICIO MEMBERS.—The Under Secretary of Commerce for Travel and Tourism and representatives of Federal agencies with responsibilty for Federal recreational sites in rural areas (including the National Park Service, Bureau of Land Management, Forest Service, Corps of Engineers, Bureau of Indian Affairs, Tennessee Valley Authority, and such other Federal agencies as the Board determines appropriate) shall be nonvoting ex-officio members of the Board.

(3) CHAIR.—The Chairman and Vice Chairman of the Board shall be elected by the voting members of the Board for terms of two years.

(4) MEETINGS.—The Board shall meet at the call of the Chairman and there shall be at least two meetings each year. A majority of the voting members of the Board serving at any one time shall constitute a quorum for the transaction of business. The Foundation shall have an official seal, which shall be judicially noticed. Voting membership on the Board shall not be deemed to be an office within the meaning of the laws of the United States.

(d) COMPENSATION AND EXPENSES.—No compensation shall be paid to the members of the Board for their services as members, but they may be reimbursed for actual and necessary traveling and subsistence expenses incurred by them in the performance of their duties as such members out of Foundation funds available to the Board for such purposes.

(e) ACCEPTANCE OF GIFTS, DEVISES, AND BEQUESTS.—

(1) IN GENERAL.—The Foundation is authorized to accept, receive, solicit, hold, administer, and use any gifts, devises, or bequests, either absolutely or in trust, of real or personal property or any income therefrom or other interest therein for the benefit of or in connection with rural tourism, except that the Foundation may not accept any such gift, devise, or bequest which entails any expenditure other than from the resources of the Foundation. A gift, devise, or bequest may be accepted by the Foundation even though it is encumbered, restricted, or subject to beneficial interests of private persons if any current or future interest therein is for the benefit of rural tourism.

(2) INDIANS.—A gift, devise, or bequest accepted by the Foundation for the benefit of or in connection with rural tourism on Indian reservations, pursuant to the Act of February 14, 1931 (25 U.S.C. 451), shall be maintained in a separate accounting for the benefit of Indian tribes in the development of tourism on Indian reservations.

(f) INVESTMENTS.—Except as otherwise required by the instrument of transfer, the Foundation may sell, lease, invest, reinvest, retain, or otherwise dispose of or deal with any property or income thereof as the Board may from time to time determine. The Foundation shall not engage in any business, nor shall the Foundation make any investment that may not lawfully be made by a trust company in the District of Columbia, except that the Foundation may make any investment authorized by the instrument of transfer and may retain any property accepted by the Foundation.

(g) PERPETUAL SUCCESSION; LIABILITY OF BOARD MEMBERS.—The Foundation shall have perpetual succession, with all the usual powers and obligations of a corporation acting as a trustee, including the power to sue and to be sued in its own name, but the members of the Board shall not be personally liable, except for malfeasance.

(h) CONTRACTUAL POWER.—The Foundation shall have the power to enter into contracts, to execute instruments, and generally to do any and all lawful acts necessary or appropriate to its purposes.

(i) ADMINISTRATION.—

(1) IN GENERAL.—In carrying out the provisions of this section, the Board may adopt bylaws, rules, and regulations necessary for the administration of its functions and may hire officers and employees and contract for any other necessary services. Such officers and employees shall be appointed without regard to the provisions of title 5, United States Code, governing appointments in the competitive service and may be paid without regard to the provisions of chapters 51 and 53 of such title relating to classification and General Schedule pay rates.

(2) SERVICES.—The Secretary of Commerce may accept the voluntary and uncompensated services of the Foundation, the Board, and the officers and employees of the Foundation in the performance of the functions authorized under this section, without regard to section 1342 of title 31, United States Code, or the civil service classification laws, rules, or regulations.

(3) CONSTRUCTION.—Neither an officer or employee hired under paragraph (1) nor an individual who provides services under paragraph (2) shall be considered a Federal employee for any purpose other than for purposes of chapter 81 of title 5, United States Code, relating to compensation for work injuries, and chapter 171 of title 28, United States Code, relating to tort claims.

(j) EXEMPTION FROM TAXES; CONTRIBUTIONS.—The Foundation and any income or property received or owned by it, and all transactions relating to such income or property, shall be exempt from all Federal, State, and local taxation with respect thereto. The Foundation may, however, in the discretion of the Board, contribute toward the costs of local government in amounts not in excess of those which it would be obligated to pay such government if it were not exempt from taxation by virtue of this subsection or by virtue of its being a charitable and nonprofit corporation and may agree so to contribute with respect to property transferred to it and the income derived therefrom if such agreement is a condition of the transfer. Contributions, gifts, and other transfers made to or for the use of the Foundation shall be regarded as contributions, gifts, or transfers to or for the use of the United States.

(k) LIABILITY OF UNITED STATES.—The United States shall not be liable for any debts, defaults, acts, or omissions of the Foundation.

(l) ANNUAL REPORT.—The Foundation shall, as soon as practicable after the end of each fiscal year, transmit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Energy and Commerce of the House of Representatives an annual report of its proceedings and activities, including a full and complete statement of its receipts, expenditures, and investments.

(m) DEFINITIONS.—As used in this section—

(1) the term "Indian reservation" has the meaning given the term "reservation" in section 3(d) of the Indian Financing Act of 1974 (25 U.S.C. 1452(d));

(2) the term "Indian tribe" has the meaning given that term in section 4(e) of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b(e));

(3) the term "local government" has the meaning given that term in section 3371(2) of title 5, United States Code; and

(4) the term "rural tourism" has the meaning given that term by the Secretary of Commerce and shall include activities related to travel and tourism that occur on Federal recreational sites, on Indian reservations, and in the territories, possessions, and commonwealths of the United States.

(n) ASSISTANCE BY SECRETARY OF COMMERCE.—Section 202(a) of the International Travel Act of 1961 (22 U.S.C. 2123(a)) is amended by striking paragraph (15) and inserting in lieu thereof the following new paragraph:

"(15) may assist the Rural Tourism Development Foundation, established under section 4 of the Tourism Policy and Export Promotion Act of 1992, in the development and promotion of rural tourism.".

SEC. 5. POLICY CLARIFICATIONS.

Section 101(b) (22 U.S.C. 2121(b)) is amended—

(1) by amending paragraph (1) to read as follows:

"(1) optimize the contributions of the tourism and recreation industries to the position of the United States with respect to international competitiveness, economic prosperity, full employment, and the balance of payments;";

(2) by redesignating paragraphs (2) through (12) as paragraphs (6) through (16), respectively; and

(3) by inserting immediately after paragraph (1) the following new paragraphs:

"(2) increase United States export earnings from United States tourism and transportation services traded internationally;

"(3) ensure the orderly growth and development of tourism;

"(4) coordinate and encourage the development of the tourism industry in rural communities which—

"(A) have been severely affected by the decline of agriculture, family farming, or the extraction or manufacturing industries, or by the closing of military bases; and

"(B) have the potential necessary to support and sustain an economy based on tourism;

"(5) promote increased and more effective investment in international tourism by the States, local governments, and cooperative tourism marketing programs;".

SEC. 6. DUTIES OF THE SECRETARY OF COMMERCE.

(a) DUTIES OF SECRETARY.—Section 201 (22 U.S.C. 2122) is amended—

(1) by redesignating paragraphs (2) through (6) as paragraphs (3) through (7), respectively;

(2) in paragraph (3) (as so redesignated) by striking "tourist facilities," and all that follows and inserting in lieu thereof the following: "receptive, linguistic, informational, currency exchange, meal, and package tour services required by the international market;";

(3) by inserting immediately after paragraph (1) the following:

"(2) provide export promotion services that will increase the number of States, local governments (as defined in section 3371(2) of title 5, United States Code), and companies in the United States that sell their tourism services in the international market, expand the number of foreign markets in which exporting States, cities, and companies are active, and inform States, cities, and companies in the United States regarding the specialized services the international market requires;";

(4) by striking the period at the end of paragraph (7) (as so redesignated) and inserting in lieu thereof the following: "and the use of other United States providers of travel products and services; and"; and

(5) by inserting immediately after such paragraph (7) the following new paragraph:

"(8) advise and provide information and technical assistance to United States firms seeking to facilitate travel to and from the emerging democracies of Eastern Europe and the former Soviet Union and compile statistics, as available, regarding such travel.".

(b) PERFORMANCE OF DUTIES.—Section 202(a) (22 U.S.C. 2123(a)) is amended—

(1) by amending paragraph (5) to read as follows:

"(5) shall provide financial assistance under section 203 to cooperative tourism marketing programs;";

(2) in paragraph (9), by striking "United States travel and tourism interests" and inserting in lieu thereof "the United States national tourism interest"; and

(3) in paragraph (12), by inserting immediately before the semicolon at the end the following: "and the use of other United States providers of travel products and services".

(c) TECHNICAL AND CONFORMING AMENDMENTS.—Section 202 (22 U.S.C. 2123) is amended—

(1) in the first sentence of subsection (c), by striking "paragraph (5) of subsection (a)" and inserting in lieu thereof "section 203";

(2) in the second sentence of subsection (c), by striking "paragraph" and inserting in lieu thereof "subsection";

(3) in the third sentence of subsection (c), by striking "paragraph (5) of subsection (a) of this section" and inserting in lieu thereof "section 203"; and

(4) in subsection (d), by striking "paragraph (5) of subsection (a) of this section" and inserting in lieu thereof "section 203".

SEC. 7. TOURISM TRADE DEVELOPMENT.

Section 202 (22 U.S.C. 2123) is amended by adding at the end the following new subsection:

"(e)(1) The Secretary's tourism trade development efforts shall focus on the markets which have the greatest potential for increasing travel and tourism revenues.

"(2) By October 1 of each year (commencing October 1, 1993), the Secretary shall publish a notice in the Federal Register soliciting comment, from persons interested in tourism trade,

concerning markets that would be an appropriate focus of tourism trade development efforts to be carried out in the twelve-month period that begins twelve months after the notice is published.

"(3) Not later than three months after the notice is published under paragraph (2), the Secretary shall select the markets that the Secretary determines are an appropriate focus of tourism trade development efforts to be carried out in the twelve-month period described in paragraph (2). The selection shall be announced by publication in the Federal Register.

"(4) At the same time the Secretary announces the selection of markets under paragraph (3), the Secretary shall issue a request for proposals from cooperative tourism marketing programs to develop and implement tourism trade development programs applicable to the markets so selected. The Secretary shall provide financial assistance in accordance with section 203 to carry out proposals submitted under this subparagraph. Such financial assistance shall be provided on or before September 30 of the year in which the markets are selected under paragraph (3).

"(5) During each twelve-month period described in paragraph (2), tourism trade development efforts shall be directed at the markets selected under paragraph (3).".

SEC. 8. TOURISM MARKETING PROGRAMS.

(a) FINANCIAL ASSISTANCE.—Sections 203 and 204 (22 U.S.C. 2123a and 2123b) are repealed and the following new section is inserted immediately after section 202:

"SEC. 203. (a) The Secretary shall provide financial assistance to cooperative tourism marketing programs in accordance with this section.

"(b)(1) To be eligible for financial assistance under subsection (a), a cooperative tourism marketing program shall, at a minimum—

"(A) involve the participation of—

"(i) two or more States;

"(ii) one or more States and one or more political subdivisions of States; or

"(iii) one or more States and one or more nonprofit organizations;

"(B) be established for the purpose of increasing the number of foreign visitors to the region in which such States or local governments are located; and

"(C) have a written regional tourism marketing plan which includes advertising, publication of promotional materials, or other promotional or market research activities designed to increase the number of foreign visitors to such region.

"(2) Financial assistance may be provided under subsection (a) if the applicant for the assistance demonstrates to the satisfaction of the Secretary that the assistance will be used for a purpose described in subsection (c) and that—

"(A) such cooperative tourism marketing program for which the financial assistance will be provided will increase the travel of foreign visitors to the region for which the assistance is sought;

"(B) such program will contribute to the economic well-being of such region;

"(C) such region is developing or has developed a regional transportation system that will enhance travel to the facilities and attractions in such region; and

"(D) such program will focus its efforts on the countries in the markets selected by the Secretary under section 202(e)(3).

"(c) Financial assistance provided under subsection (a) may be used for the purpose of—

"(1) promoting or marketing to foreign visitors or potential foreign visitors the tourism and recreational opportunities in the region for which such financial assistance is sought;

"(2) targeting foreign visitors to develop or enhance their interest in tourism and recreational opportunities in such region;

"(3) encouraging the development by such cooperative tourism marketing program of regional strategies for international tourism promotion and marketing; or

"(4) developing and implementing tourism trade development programs applicable to markets selected under section 202(e)(3).

"(d) In connection with financial assistance provided under subsection (a), a cooperative tourism marketing program may enter into agreements with individuals and private profit and nonprofit businesses and organizations who will assist in carrying out the purposes for which such financial assistance is provided. Such an agreement shall be disclosed in any application for financial assistance under subsection (a) and such an application may be approved by the Secretary only if the Secretary finds that such agreement meets all applicable legal requirements and is consistent with the purposes of this Act.

"(e) After notice and opportunity for public comment and within one hundred and eighty days after the date of enactment of the Tourism Policy and Export Promotion Act of 1992, the Secretary shall issue rules and guidelines to carry out this section. Proposed rules and guidelines shall be issued within ninety days after such date of enactment.

"(f)(1) The total amount of financial assistance that may be provided under subsection (a) shall, in each of the fiscal years 1994, 1995, and 1996, be not less than 25 percent of the amount appropriated to the Secretary for such fiscal year under section 304.

"(2) Not more than 50 percent of the financial assistance provided under subsection (a) for any fiscal year may be used for tourism trade development designed to promote travel and tourism in the United States generally without promotion of a particular area of the United States. Cooperative tourism marketing programs receiving financial assistance under subsection (a) shall pool 50 percent of their financial assistance for such general tourism trade development in each market selected by the Secretary under section 202(e)(3). The Secretary shall provide technical assistance to recipients of such financial assistance and coordinate such efforts.".

(b) FEDERAL SHARE OF PROJECT COSTS.—The first sentence of section 202(c) (22 U.S.C. 2123(c)) is amended by striking all after "sources" and inserting in lieu thereof a period and the following new sentence: "Any recipient of financial assistance under section 203 shall provide matching funds (consisting of actual dollar expenditures on the program for which such financial assistance is provided) equal to at least 25 percent of such financial assistance.".

SEC. 9. TOURISM TRADE BARRIERS.

Title II (22 U.S.C. 2122 et seq.), as amended by section 8 of this Act, is further amended by adding at the end the following new section:

"SEC. 204. For each calendar year beginning with calendar year 1994, the Secretary shall—

"(1) identify and analyze acts, policies, or practices of each foreign country that constitute significant barriers to, or distortions of, United States travel and tourism exports;

"(2) make an estimate of the trade-distorting impact on United States commerce of any act, policy, or practice identified under paragraph (1); and

"(3) make an estimate, if feasible, of the value of additional United States travel and tourism exports that would have been exported to each foreign country during such calendar year if each of such acts, policies, and practices of such country did not exist.".

SEC. 10. ACTION TO FACILITATE ENTRY OF FOREIGN TOURISTS.

Title II (22 U.S.C. 2122 et seq.), as amended by section 9, is further amended by adding at the end the following new section:

"SEC. 205. The Secretary shall, in coordination with appropriate Federal agencies, take appropriate action to ensure that foreign tourists are not unnecessarily delayed when entering the United States and to ensure that the international processing standard of the International Civil Aviation Organization is met.".

SEC. 11. PERFORMANCE OF THE UNITED STATES TRAVEL AND TOURISM ADMINISTRATION.

Title II (22 U.S.C. 2122 et seq.), as amended by section 10 of this Act, is further amended by adding at the end the following:

"SEC. 206. (a) Beginning October 1, 1994, and annually thereafter, the Secretary shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Energy and Commerce of the House of Representatives the goals of the United States Travel and Tourism Administration for the applicable forthcoming fiscal year, including quantifiable measures on which such Administration's performance can be evaluated. Such goals shall include—

"(1) the number of written and telephone inquiries regarding the possibility of foreign travel to the United States expected to be generated by the financial assistance provided to cooperative tourism marketing programs under section 203;

"(2) the number of tour packages for foreign visitors to the United States expected to be sold in connection with such financial assistance;

"(3) the number of tourists from countries in markets selected under section 202(e)(3) expected to visit the United States destinations being promoted in such countries in connection with such financial assistance; and

"(4) the actions recommended to eliminate acts, policies, and practices of foreign countries identified under section 204 that constitute significant barriers to or distortions of United States travel and tourism exports.

"(b) By December 31, 1995, and annually thereafter, the Secretary shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Energy and Commerce of the House of Representatives a report outlining the degree to which the goals set forth for the prior fiscal year have been attained. Such report shall include—

"(1) the number of written and telephone inquiries regarding the possibility of foreign travel to the United States actually received by the Secretary and by persons receiving financial assistance under section 203;

"(2) the number of tour packages for foreign visitors to the United States actually sold in connection with such financial assistance;

"(3) the number of tourists from countries in markets selected under section 202(e)(3) that actually visited the United States destinations being promoted in such countries in connection with such financial assistance;

"(4) an evaluation of the effectiveness of such financial assistance; and

"(5) an evaluation of the effectiveness of any actions recommended under subsection (a)(4) which were taken to eliminate acts, policies, and practices that constitute significant barriers to, or distortions of, United States travel and tourism exports.

"(c) The Secretary shall collect from persons receiving financial assistance under section 203 such information as may be necessary to enable the Secretary to comply with subsections (a) and (b). The Secretary may condition the receipt of such financial assistance on the agreement of the recipient to provide such information to the Secretary at such times and in such manner and form as the Secretary deems appropriate.".

SEC. 12. ADMINISTRATION.

Section 301(a) (22 U.S.C. 2124(a)) is amended—

(1) by striking the third and fourth sentences;

(2) by inserting "(1)" immediately after "(a)"; and

(3) by adding at the end the following new paragraph:

"(2) The Secretary shall designate a Deputy Under Secretary for Tourism Trade Development who shall be drawn from, and serve as a member of, the career service. The Deputy Under Secretary shall have responsibility for—

"(A) facilitating the interaction between industry and government concerning tourism trade development;

"(B) directing and managing field operations;

"(C) directing program evaluation research and industry statistical research;

"(D) developing an outreach program to those communities with underutilized tourism potential to assist them in development of strategies for expansion of tourism trade;

"(E) implementing the program to provide financial assistance under section 203 in support of non-Federal tourism trade development activities; and

"(F) performing such other functions as the Under Secretary may assign.".

SEC. 13. COORDINATION.

Section 301 (22 U.S.C. 2124) is amended by adding at the end the following new subsection:

"(c) The Under Secretary of Commerce for Travel and Tourism shall continue to seek the assistance of the United States and Foreign Commercial Service and shall continue to be available to assist the United States Travel and Tourism Administration at locations identified by the Under Secretary, in consultation with the Director General of the United States and Foreign Commercial Service, as necessary to assist the Administration's foreign offices in stimulating and encouraging travel to the United States by foreign residents and in carrying out other powers and duties of the Secretary specified in section 202.".

SEC. 14. LIMITATION ON CERTAIN EXPENDITURES.

Section 301 (22 U.S.C. 2124), as amended by section 13, is further amended by adding at the end the following new subsection:

"(d) The expenditures for personnel compensation, rental payments, communications, utilities, miscellaneous charges, and equipment shall not exceed—

"(1) in fiscal year 1993, 55 percent of the amount appropriated to the Secretary under section 304;

"(2) in fiscal year 1994, 52.5 percent of the amount appropriated to the Secretary under section 304; and

"(3) in fiscal year 1995 and in subsequent fiscal years, 50 percent of the amount appropriated to the Secretary under section 304.".

SEC. 15. TOURISM POLICY COUNCIL.

(a) MEMBERSHIP.—Section 302(b)(1) (22 U.S.C. 2124a(b)(1)) is amended—

(1) by redesignating subparagraphs (H) and (I) as subparagraphs (O) and (P); and

(2) by inserting immediately after subparagraph (G) the following new subparagraphs:

"(H) the Secretary of Agriculture;

"(I) the Chairman of the Tennessee Valley Authority;

"(J) the Commanding General of the Corps of Engineers of the Army, within the Department of Defense;

"(K) the Administrator of the Small Business Administration;

"(L) the Commissioner of the Immigration and Naturalization Service;

"(M) the Chief Executive Officer of the National Railroad Passenger Corporation;

"(N) the Commissioner of Customs;".

(b) DETAILS.—Section 302(d) (22 U.S.C. 2124a(d)) is amended by adding at the end the following new paragraph:

"(4)(A) Every year, upon designation by the Secretary in accordance with subparagraph (B), up to three Federal departments and agencies represented on the Council shall each detail to the Council for that year one staff person and associated resources.

"(B) In making the designation referred to in subparagraph (A), the Secretary shall designate a different group of agencies and departments each year and shall not redesignate any agency or department until all the other agencies and departments represented on the Council have been designated the same number of years.".

SEC. 16. ADVISORY BOARD.

(a) MEMBERSHIP.—Section 303(a)(3) (22 U.S.C. 2124b(a)(3)) is amended—

(1) in subparagraph (A), by striking "and";

(2) in subparagraph (B), by striking "one shall be a representative of the States who is" and inserting in lieu thereof "two shall be representatives of the States who are" and by striking the period at the end and inserting in lieu thereof "; and"; and

(3) by adding at the end the following new subparagraph:

"(C) at least one shall be a representative of a city who is knowledgeable of tourism promotion.".

(b) TERMS.—The last sentence of section 303(b) (22 U.S.C. 2124b(b)) is amended by striking "two consecutive terms of three years each" and inserting in lieu thereof "six consecutive years or nine years in the aggregate".

(c) ADVICE.—The first sentence of section 303(f) (22 U.S.C. 2124b(f)) is amended by striking "and shall advise" and all that follows through "202(a)(15)".

SEC. 17. AUTHORIZATION OF APPROPRIATIONS.

Section 304 (22 U.S.C. 2126) is amended—

(1) in the first sentence, by inserting immediately before the period the following: ", not to exceed $21,000,000 for fiscal year 1993, not to exceed $22,500,000 for fiscal year 1994, not to exceed $24,000,000 for fiscal year 1995, and not to exceed $26,000,000 for fiscal year 1996"; and

(2) by striking the last two sentences and inserting in lieu thereof the following: "Funds appropriated under this section may be expended by the Secretary without regard to sections 501 and 3702 of title 44, United States Code. Funds appropriated under this section for the printing of travel promotional materials shall remain available for 2 fiscal years.".

SEC. 18. REPORT ON TOURISM AND TRAVEL ACTIVITIES.

The Secretary of Commerce shall, within 18 months after the date of the enactment of this Act, report to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Energy and Commerce of the House of Representatives on—

(1) the status of the actions required by section 3 and the desirability and feasibility of publishing international travel receipts and payments on a monthly basis;

(2) the Secretary's actions under section 201(8) of the International Travel Act of 1961 (as amended by section 6 of this Act), regarding the inbound and outbound tourism trade between the United States and emerging democracies of Eastern Europe and the former Soviet Union (including statistics, as available, on the number of inbound and outbound tourists, receipts from and expenditures by such tourists, the number of tourists traveling into and out of Eastern Europe and the former Soviet Union on American carriers, and other relevant matters);

(3) the activities of the Department of Commerce and other Federal agencies to increase tourism opportunities for, and encourage travel by, disabled persons; and

(4) efforts undertaken under section 205 of the International Travel Act of 1961 (as amended by section 13 of this Act) to improve visitor facilitation and the effect on United States travel and tourism as a result of those improvements.

SEC. 19. REPORT ON FOREIGN OFFICES.

(a) REPORT BY SECRETARY.—The Secretary of Commerce shall, within one year after the date of enactment of this Act, transmit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Energy and Commerce of the House of Representatives a report on the offices of the United States Travel and Tourism Administration located in foreign countries.

(b) CONTENTS.—The report required by subsection (a) shall include the following:

(1) DESCRIPTION OF OFFICES.—A description of each foreign office of the United States Travel and Tourism Administration, including the number of United States national employees, foreign national employees, and contract personnel who perform duties for the foreign office and a statement as to how many of each category of employees or personnel are part-time and full-time.

(2) INFORMATION ON LOCAL LAWS.—Information on the laws of the country in which each foreign office is located. The information shall state the country's legal requirements concerning the termination or reassignment of employees or contract personnel, any actions altering the terms or conditions of employment that will result in a requirement to pay additional compensation to the affected employee, and the legally mandated duties to affected employees and contract personnel where an entire foreign office is closed after appropriate notice.

(3) EXISTING LEASES.—Information on all existing leases of office space (or space sharing arrangements with the United States embassy) applicable to each foreign office, including an analysis of the Secretary's ability to terminate such leases or other arrangements and the costs associated with such termination.

(4) COST REDUCTIONS AND MARKETING EFFICIENCIES.—Analysis of and recommendations for possible cost reductions and marketing efficiencies with respect to the activities of foreign offices, including the advantages and disadvantages of consolidating foreign office functions by establishing three regional offices of the United States Travel and Tourism Administration based in and responsible for the following respective geographic areas:

(A) Europe and Africa.

(B) Asia and the Pacific region.

(C) North America, South America, and the Caribbean region.

(5) ORGANIZATIONAL FLEXIBILITY.—Analysis and recommendations concerning methods for increasing organizational flexibility (particularly with respect to the establishment, operations, closing, and relocation of foreign offices) in response to changing market conditions, fiscal constraints, and policy conditions.

(c) DELAY IN CERTAIN ADMINISTRATIVE ACTIONS.—At offices of the United States Travel and Tourism Administration located in foreign countries—

(1) no new foreign national employees nor contract personnel may be hired, except for employees or contract personnel that directly replace foreign national employees or contract personnel; and

(2) no new leases of office space, nor renewals of existing leases for longer than two years, may be executed,

until six months after the report required by subsection (a) is received.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Washington [Mr. SWIFT] will be recognized for 20 minutes, and the gentleman from Pennsylvania [Mr. RITTER] will be recognized for 20 minutes.

The Chair recognizes the gentleman from Washington [Mr. SWIFT].

GENERAL LEAVE

Mr. SWIFT. Mr. Speaker, I ask unanimous consent that all Members may

have 5 legislative days in which to revise and extend their remarks on the Senate amendment to the House amendments to S. 680.

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

There was no objection.

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

Mr. Speaker, I am pleased to bring before the House today S. 680, the Tourism Policy and Export Promotion Act, which reauthorizes the U.S. Travel and Tourism Administration and attempts to focus the agency's efforts more on helping areas of the country with underutilized tourism potential promote themselves more effectively.

S. 680 contains a number of initiatives developed in response to criticisms voiced about USTTA. These include creating a career civil servant Deputy Under Secretary, limiting the amount of money that USTTA can spend on overhead expenses, creating a Rural Tourism Development Foundation, and establishing a financial assistance program for States and localities to help them conduct tourism promotion.

The bill before the House today is a compromise between the Committee on Energy and Commerce and our counterparts in the other body. The bill is similar to the version passed by the House last November; however, we have made several changes to that legislation in an effort to address some of the concerns raised by USTTA.

The legislation passed by the House last year required USTTA to establish three regional offices, and to restructure its foreign operations. In an attempt to address concerns raised about the potential costs of this restructuring, the legislation now requires USTTA to conduct a comprehensive study of its office operations, including the feasibility of, and the costs associated with, establishing the regional offices. The bill forbids USTTA from signing any new leases, or hiring any foreign service nationals or contract personnel, until such time as the study is completed. I look forward to working with USTTA and my colleagues to ensure that these provisions are implemented in a timely and proper manner.

Mr. Speaker, passage of this legislation will enable our national tourism agency to better assist our States and localities in the promotion of travel and tourism. A reauthorization bill for this agency has been long overdue. I would like to thank and commend the distinguished chairman of the Energy and Commerce Committee, Mr. DINGELL, for his leadership in moving this bill forward. I would also like to thank Messrs. LENT and RITTER for their important contributions to the passage of this legislation.

I urge my colleagues to support passage of this bipartisan legislation.

□ 1530

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

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

Mr. Speaker, I want to commend the leadership of the Energy and Commerce Committee—the chairman, Mr. DINGELL, the subcommittee chairman, Mr. SWIFT, and the ranking member, Mr. LENT—for their diligent work in preparing this consensus legislation and reaching agreement with the Senate. I also want to acknowledge the vital technical assistance provided throughout the legislative process by the U.S. Travel and Tourism Administration itself, particularly by Under Secretary John Keller and his staff.

The U.S. Travel and Tourism Administration, part of the Department of Commerce, performs a function that is vital to our international financial and competitive position—the promotion of tourist expenditures by foreign visitors in the United States.

Just how important is foreign tourism to the United States. Well, in 1990, it generated a trade surplus of $5 billion in our intentional accounts. In 1991, that positive balance had grown to $16.8 billion. This is a source of international earnings that we cannot afford to ignore. Overall some 42 million international visitors spent $64.7 billion in 1991.

After all, the basic infrastructure for tourism is there—the many scenic, historical and cultural attractions that our Nation has to offer along with an excellent transportation network. What is needed is effective overseas marketing and promotion of those attractions. And that is where USTTA comes in.

Under this legislation, USTTA will be working more closely than ever before with State, local, and regional groups to foster regional orientation in the pitch the United States makes to potential foreign tourists. In my own area of the Lehigh Valley in Pennsylvania, I might note, we have had success with the regional promotion of events such as our Musikfest and other festivals such as the Celtic Classic. This kind of regional marketing takes advantage of the economies of scale in activities like advertising and promotion, and allows all of the attractions of a region to be portrayed as an integrated, coherent whole. Underlying this new regional emphasis, the legislation also sets up a new system of direct financial assistance for promotional activities in targeted foreign markets on behalf of State and local entities.

Another key feature of this legislation is its focus on future strategic planning by USTTA to increase its adaptability and flexibility in meeting changing market conditions in the future. One key effort provision in the bill requires a report on possible impediments to USTTA's relocating overseas offices or altering the emphasis and allocation to particular overseas offices as market conditions change.

I look upon this new focus on strategic planning as another effort to bring the quality process to Government. Especially in a case such as this, where Government resources should be used to exploit market conditions favorable to increased tourist travel to the United States, we need to make sure that the agency in charge is not only dedicated, but is also given the flexibility it needs to respond to problems and changes with a true quality approach. This legislation is an important step in that direction. I strongly urge its approval.

Mr. Speaker, I yield 2 minutes to the gentleman from Virginia [Mr. ALLEN].

Mr. ALLEN. Mr. Speaker, I am pleased this afternoon to voice my support for this bill, Senate bill 680, the reauthorization of the U.S. Travel and Tourism Administration. Tourism is a key industry not only in the United States, but in my State of Virginia. It is essential for our economic vitality. We, like many other areas, are feeling the upcoming defense cuts, and we are also feeling a languishing economy. We are depending more and more heavily on the travel and tourism industry to provide jobs and revenue to States and localities.

Mr. Speaker, tourism is an underutilized economic development tool that we must capitalize on. By supporting this legislation, I would say to my colleagues, you will be aiding rural areas, like much of my district, by establishing a Rural Tourism Development Foundation to develop and promote tourism in rural areas.

Throughout Virginia, people, including small businesses, are beginning to realize the benefits of what a vigorous, healthy travel and tourism industry can do for their communities. Tourism to historic sites, to battlefields, to natural beauty, whether it is the Blue Ridge Parkway or the Skyline Drive, and also to recreational areas are clean industries that provide thousands of jobs in our State and certainly millions of jobs across the country.

Tourists, whether they come from out of State, out of the region, or from foreign countries, come into your area, they spend money, help out all the tourist-related industries, and that provides thousands of jobs and millions of dollars in revenue, and then they leave and your localities do not have to then educate their children, which is a big cost for local governments.

In Virginia alone, and I am sure this is the case in many other States, tourists spend over $2 million every day. That translates into over 126,000 jobs statewide. We must support such vital, positive economic development ideas and efforts as are represented in this bill.

Mr. Speaker, I hope my colleagues will join me in supporting this good legislation.

Mr. RITTER. Mr. Speaker, I yield 3 minutes to the distinguished gentleman from Wisconsin [Mr. ROTH], who represents what I understand to be the kind of Cape Cod area of the Midwest in northeast Wisconsin.

Mr. ROTH. Mr. Speaker, I thank the gentleman from Pennsylvania for allowing me this time.

Mr. Speaker, I am delighted to see that the Rural Tourism Development Foundation is included in the Tourism Reauthorization Act.

I want to thank the members of the subcommittee, and especially the chairman and the ranking member, for the great job they did on this piece of legislation. This is a piece of legislation that the entire Congress and country can be proud of.

The Rural Tourism Development Foundation, for example, is a nonprofit, privately funded organization that will promote tourism in rural America.

□ 1540

Last year I held a travel and tourism conference in Shawano, WI. During the conference scores of small business owners and community leaders testified to the importance of tourism to their local economies. The U.S. Travel and Tourism Administration director, Linda Misloui, and other leaders, attended and saw firsthand the economic value of tourism in rural Wisconsin.

We formulated the Rural Tourism Development Foundation from the ideas at the Shawano conference, and I am pleased to see this new opportunity for our rural communities.

Tourism is an exploding industry in America. Already travel and tourism has provided a needed injection to our Nation's economic health. Six million jobs, yes, 6 million jobs are directly affected by tourism, and an additional 6.4 million jobs are indirectly affected by this industry.

In the last 2 years, travel and tourism has grown at twice the rate of the next closest industry. So if we want to have a good and stronger economy in America, this is one route that we can take.

Jobs, jobs, jobs is what the tourism industry offers to the American worker and tax dollars to our local and State coffers. Almost $44 billion in Federal and State and local taxes were collected last year because of tourism in America, $44 billion.

I am especially proud of the role that rural America is playing in this ever-growing industry. In my State of Wisconsin, tourism was the largest employer last year and has been for a number of years.

Tourism brought into our one State, the State of Wisconsin, $5.4 billion. Just that one industry, resulted in some $225 million in State and local revenues.

The economic benefits are clear as a bell. With a huge trade surplus. This is a huge industry that has not even begun to see its full potential.

This potential is now being revealed and coming into its own. This is an excellent bill.

I am pleased that my colleagues agree that rural tourism is so important to our economy, and I commend my friends on both sides of the aisle and the subcommittee for looking at this and for passing this legislation.

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

Mr. ROTH. I yield to the gentleman from Washington.

Mr. SWIFT. Mr. Speaker, I would simply like to recognize the gentleman for his leadership. He is not on the committee, but he has been a strong proponent of this legislation for a very long time.

His leadership, particularly with regard to the provision that establishes the Rural Tourism Foundation, has been stellar.

I want to thank the gentleman for his help to me and to the committee in passage of this legislation.

Mr. ROTH. Mr. Speaker, I thank the gentleman for his kind words. I remember the day that the chairman of this subcommittee traveled over to the other body to appear before the Senate for JAY ROCKEFELLER's committee and talk about this legislation, and I realize full well that I could not have done this alone. I appreciate the gentleman's help, and I am delighted that he put this into the legislation.

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

I thank the gentleman for his remarks and would add that tourism expenditures are not only direct; that is, the payment for the ticket, the payment for the hotel room, the payment for the meal, the payment for the entry into the amusement facility or whatever. Tourism expenditures are indirect, and they involve the construction of the hotel, the construction jobs, the concrete, the steel, the glass, the electrical wiring, the furnishings, the appliances, and so on and so forth.

They involve the transportation vehicles, the planes, the trains, the automobiles, the rental cars, all of this.

And so modern America really benefits from a healthy tourism industry because there is a ripple effect of expenditures in tourism that really impact on most of our jobs and most of our economy. So it is a real job stimulant in every sense of the word.

Mr. DINGELL. Mr. Speaker, I rise in support of S. 680, a bill that seeks to reform the U.S. Travel and Tourism Administration [USTTA].

I first wish to commend the gentleman from the State of Washington, the chairman of our Subcommittee on Transportation and Hazardous Materials, AL SWIFT, for his untiring efforts to enact meaningful legislation in this area. I also wish to commend Mr. LENT, the ranking Republican member of the full committee, and Mr. RITTER, the ranking Republican of the Subcommittee on Transportation and Hazardous Materials, for the bipartisan cooperation we have enjoyed at every step during this lengthy and difficult matter. I also wish to convey my sincere appreciation to the chairman of the Senate Committee on Commerce, Science, and Transportation, Mr. HOLLINGS, and the chairman of the Senate Subcommittee on Foreign Commerce and Tourism, Mr. ROCKEFELLER. Together with their Republican counterparts, they have helped us to craft an acceptable reform measure that could form a constructive basis for the continuation of USTTA.

It has been a decade since the enactment of authorization legislation for USTTA. Despite the stalemate in the authorization process, the Appropriations Committees have seen fit to provide Federal taxpayer dollars for the agency's operations. I have tried to make it abundantly clear during these past few years that I am certainly no fan of USTTA. My overt criticism of the agency stems from the fact that no one has ever been able to demonstrate convincingly that the USTTA brings into our country more than what it costs the American taxpayer to support the agency. Given the backdrop of skyrocketing Federal deficits, I have been unable to find a compelling reason to support the continuation of authorizing the expenditures of general tax funds in the absence of such evidence. When other meaningful Federal programs—that have real, proven, and palpable public benefits—are feeling the massive effects of budgetary cutbacks, and when other serious national problems remain unfunded and unaddressed, I have not been able to support in good conscience the authorization of an agency whose primary mission has amounted to nothing more than a corporate welfare program.

Two years ago, our committee considered legislation that would have funded USTTA from user fees. While noting my continuing objections to the complete lack of accountability of the agency, as well as the complete dearth of believable evidence supporting the agency's effectiveness, I supported the user fee legislation as a compromise measure. My support for such legislation was premised on two primary notions. First, I believed that by eliminating general taxpayer support for the agency's questionable programs and practices, we at least would be removing the most egregious and fundamental public policy problem presented by the agency's continued miserable existence. Second, I believed that a user fee approach would bring some measure of accountability to the agency by forcing those who benefit from its current programs to examine—as well as to pay for—the agency's actual operations. While Congress enacted a USTTA user fee provision as part of the Omnibus Budget Reconciliation Act of 1990, the provision unfortunately has been invalidated since its enactment. Thus, early in this Congress, I found myself back at square one in the consideration of legislation to authorize USTTA's programs.

Primarily because of the persistence of Chairman SWIFT and Chairman ROCKEFELLER,

we thereafter embarked on a course to consider legislation that would reform the agency, provide accountability to the Congress and the public, and significantly revamp the direction of the agency's programs. While I would have preferred a stronger approach in some areas, I can support the compromise legislation we are considering today because of the meaningful and substantial changes it will make in the way that USTTA operates.

Chairman SWIFT and others have described some of the provisions that make this legislation acceptable. I would like to highlight some of the provisions that are of particular importance to me and to indicate in the strongest possible terms my intention to conduct strict and rigorous oversight of the agency's implementation of these new legislative directives.

First and foremost, the bill requires USTTA to provide financial assistance to so-called cooperative tourism marketing programs—that is, programs consisting of States, local jurisdictions and private nonprofit interests established for tourism promotion—for the promotion of both regional and national tourism efforts in the United States. Our committee's numerous investigations in the area have revealed that regional and State tourism programs—not the USTTA—have been the most effective means of promoting American tourism efforts. The bill requires USTTA to provide financial assistance to cooperative tourism marketing programs of not less than 25 percent of all funds appropriated to the agency for fiscal years 1994–96. The bill requires a significant actual dollar contribution level from such marketing programs of not less than 25 percent of the amount of Federal financial assistance provided to ensure the good faith and commitment of such programs to these new promotion activities. Other provisions of the legislation require the marketing programs to have written plans for increasing foreign visitors to the regions represented, as well as requiring USTTA to conduct an annual participative process for identifying particular foreign markets that will be targeted by the cooperative tourism marketing programs. In all, this new program of financial assistance should provide regional programs with needed wherewithal to implement effective promotion activities. Financial assistance from USTTA thus will be used to effectuate both the specific tourism promotion objectives of each selected cooperative tourism marketing program as well as a cooperative venture by all selected cooperative tourism marketing programs to provide coordinated national tourism promotion.

Additionally, the legislation makes important changes to the accountability and organic structure of USTTA. For example, the bill requires the agency to improve the collection and data relative to tourism, to conduct an annual analysis of acts, practices, and policies of foreign countries that constitute significant barriers to our country's travel and tourism exports, to improve relevant statistical information regarding various aspects of tourism and travel, to provide the committees of jurisdiction with annual goals of the agency together with quantifiable measures for evaluating the agency's performance, and to provide the committees of jurisdiction with annual follow-up reports relative to the agency's attainment of such goals. Additionally, the bill requires the Secretary of Commerce to designate a career service employee as the Deputy Under Secretary for Tourism Trade Development to have responsibility for certain designated responsibilities. The legislation also limits the agency's expenditures for specified administrative expenses, including personnel compensation and rents, to a specific level of appropriated funds. This should help to ensure that the agency is expending taxpayer dollars for the programs designated in the bill, not on more people and foreign offices. In connection with USTTA's foreign offices, the bill requires USTTA to provide a comprehensive report to the committees of jurisdiction within 1 year that sets forth a description of each office; the precise rental arrangement in each instance; number of employees in each office—including full-time, part-time, contract, and foreign nationals; and an analysis of possible cost reductions and marketing efficiencies that could be realized from consolidating or eliminating foreign offices.

In researching the issues surrounding USTTA foreign offices, it astounds me that the agency takes the position that elimination or possible consolidations of existing foreign offices could be more costly than continuation of such offices because of foreign laws governing USTTA's employment of foreign nationals. USTTA staff informed by staff recently that the hiring of foreign nationals in certain countries is tantamount to guaranteed lifetime employment. In opposing the House authorization bill last year, Secretary Mosbacher wrote me to complain of the provision in the bill that limited administrative expenses, including rental expenses. Secretary Mosbacher's November 18, 1991 letter states that:

> USTTA's work is necessarily dependent on the provision of core services as well as administrative support for its tourism offices. Rents alone for these offices total *nearly $2 million*. These are *fixed costs* without which USTTA's programs cannot be implemented; thus, these expenditures are *essential* to the accomplishment of USTTA's mission. (italic added.)

While I find such a defense of USTTA's essential rental agreements in foreign countries to be laughable, I was not aware at that time that these expenses are also perpetual. Needless to say, a complete review of USTTA's foreign office operations, including detailed information on USTTA's ability to close or consolidate such offices—and the precise costs associated therewith—is sorely needed and long overdue. In order to underscore the necessity for such a report, we have prohibited the agency from hiring new employees, entering into new leases, or renewing any existing lease for more than 2 years, until 6 months after the report is submitted to our committee. It is more than interesting to note that a 10-year renewal of one of USTTA's Canadian offices was executed in June this year, representing by far the longest term arrangement in the history of the agency. From the agency's words and deeds, it is clear that USTTA will do everything in its power to perpetuate its existence. We wish to make it equally clear to the agency that the prohibition on leases and employees set forth in the legislation had better be adhered to meticulously and without exception. I would hope sincerely that the administration would support our oversight and examination of USTTA's foreign office operations and rental payments—which alone amounts to one-seventh of its current total appropriations—in an effort to avoid continuing and wasteful Government spending.

In summary, Mr. Speaker, I again wish to commend in particular my good friends and colleagues, Chairman SWIFT and Chairman ROCKEFELLER, for their unflagging determination to enact the bill before us. I also wish to indicate the necessity for full and prompt compliance with the letter and spirit of this legislation by USTTA. Any other course of action by the agency certainly will be met with even greater scrutiny and more drastic action by our committee than USTTA has ever experienced.

I urge my colleagues to support this legislation and yield back the balance of my time.

Mr. LENT. Mr. Speaker, I want to commend our committee chairman, the gentleman from Michigan; our Transportation Subcommittee chairman, the gentleman from Washington, and our subcommittee's ranking member, the gentleman from Pennsylvania. All three have been most diligent and resourceful in helping to fashion this legislation, move it through the House, and reach ultimate agreement with the other body.

This final version of the U.S. Travel and Tourism Administration's reauthorization represents a hard-won bipartisan consensus with the Senate. I am particularly gratified that we are giving USTTA its first statutory authorization in several years.

This agency is performing a vital service—promoting the visits of foreign travelers to the United States. The money foreign tourists spend here helps to offset part of our trade deficit in other areas, and is an important source of earnings for the American Economy. In 1991, for example, the net trade surplus generated by foreign tourist expenditures in the United States was $16.8 billion. This is a contribution to our international economic stature and our competitiveness that we cannot afford to ignore.

In the New York area, we have known for many years what a major economic contribution our tourist attractions can make if they are effectively marketed. This legislation will help to improve and focus the Federal efforts to promote foreign tourism in the United States. In particular, USTTA will be given the tools for a new emphasis on regional tourism promotion, so that several cities, States, or other organizations can pool their resources in a more cost-effective marketing effort to attract foreign tourists.

This kind of strategic thinking, where we work smart to get the most out of both public and private resources, is a major theme in this legislation. I strongly support this bill and its renewed charter for USTTA, and I urge my colleagues to do so as well.

Mr. BLAZ. Mr. Speaker, I would like to express my support for S. 680, the Tourism Policy and Export Promotion Act of 1991. This measure is near and dear to the people of Guam since a major component of our economy rests on tourism. This industry generates hundreds of millions of dollars in revenue for the territory as well as thousands of high paying jobs. Tourism has given our people the chance to attain a measure of economic self sufficiency and has released us from being economic wards of the United States.

The establishment of the Rural Tourism Development Foundation is a particularly beneficial provision of this bill for it will assist in the development of rural tourism, a potentially lucrative market.

Our territory's reliance on the tourism market has been made possible by our geographical location and our political status as the American territory in the Pacific Basin nearest Asia. As we strive to recover and rebuild from the devastation wrought by Typhoon Omar 3 weeks ago, we are encouraged by this bill which will amend the International Travel Act of 1961 to assist in the growth of international travel and tourism into the United States.

I fully support the provision of this bill and urge its passage which will add more jobs to the over 6 million directly affected by the tourism industry which generates an annual revenue of over $44 billion for the entire Nation.

Mr. WOLF. Mr. Speaker, I am pleased to rise in support of S. 680, the reauthorization of the U.S. Travel and Tourism Administration for fiscal years 1993, 1994, 1995, and 1996.

Tourism is of crucial importance to the economic health of not only my home State of Virginia but our Nation as a whole. One aspect of this legislation which I find of utmost importance is the creating of a Rural Tourism Development Foundation to develop and promote rural tourism.

I have worked hard to promote tourism, as our Nation, especially in many rural areas, is which in natural and scenic beauty as well as renowned for its historical significance. In the Commonwealth of Virginia, for example, tourism is an $8 billion industry, and during 1991 tourism was up over 3 percent statewide. For every $1 invested in tourism, Virginia receives $8 in return—an outstanding 8-to-1 return on investment. In 41 of 50 States, the tourism industry is among the top 3 employers, and in Virginia tourism is the second-leading industry statewide. Over the last 7 years, requests for Virginia travel guides have increased from 120,000 in 1985 to 480,000 in 1992—an excellent indicator of the increasing interest visitors have in traveling to the Old Dominion, and how much tourism can help the economy nationwide. In 1990, 5.86 million people were employed nationwide in the tourism industry, and that was a 3-percent increase over figures from the previous year.

Travelers buy food, buy gasoline, stay at hotels and motels, purchase souvenirs, visit and enjoy new places and old favorites. The economic benefits are excellent across a wide array of diverse businesses. I have worked closely with State and local leaders to promote tourism, as this important industry stimulates much-needed economic growth and creates jobs. I am pleased to support the outstandng work of the USTTA, and join my colleagues in support of S. 680.

Mr. RITTER. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

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

The SPEAKER pro tempore (Mr. MURTHA). The question is on the motion offered by the gentleman from Washington [Mr. SWIFT] that the House suspend the rules and concur in the Senate amendment to the House amendments to the Senate bill, S. 680.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the Senate amendment to the House amendments was concurred in.

A motion to reconsider was laid on the table.

THE LATE HONORABLE WALTER B. JONES, A REPRESENTATIVE FROM NORTH CAROLINA

Mr. ROSE. Mr. Speaker, I offer a privileged resolution (H. Res. 567) and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 567

Resolved, That the House has heard with profound sorrow of the death of the Honorable Walter B. Jones, a Representative from the State of North Carolina.

Resolved, That a committee of such Members of the House as the Speaker may designate, together with such Members of the Senate as may be joined, be appointed to attend the funeral.

Resolved, That the Sergeant at Arms of the House be authorized and directed to take such steps as may be necessary for carrying out the provisions of these resolutions and that the necessary expenses in connection therewith be paid out of the contingent fund of the House.

Resolved, That the Clerk communicate these resolutions to the Senate and transmit a copy thereof to the family of the deceased.

Resolved, That when the House adjourns today, it adjourn as a further mark of respect to the memory of the deceased.

The SPEAKER pro tempore. The gentleman from North Carolina [Mr. ROSE] is recognized for 1 hour.

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

Mr. Speaker, with the passing of the Honorable WALTER B. JONES today, the House will miss the spirit, and the wisdom, of a great person, and a great legislator.

As a fellow North Carolinian, he will be sorely missed by the delegation. His wise counsel, and his steady hand, have been of immeasurable benefit to the State, as well as to his constituents.

WALTER B. JONES spent over 40 years in service to others—as a mayor, a State representative and a State senator—and since 1966, as a Member of the U.S. House of Representatives.

As the chairman of the Committee on Merchant Marine and Fisheries, he has been credited with having strongly influenced the face and character of maritime policy, both the United States and abroad.

But I knew him best as a partner on the Agriculture Committee, and as a champion of North Carolina farmers. He was a great teacher, and I learned my lessons from his stewardship of the Tobacco Subcommittee.

There is so much about the life of this quiet and gentle man that needs to be said, and I will insert in the RECORD a brief statement of his remarkable career and life.

As we adjourn today, I would like to honor his contributions to North Carolina agriculture and coastal policy. They have left a legend of treasures for us all to enjoy for many years to come. We shall certainly miss his never ending commitment to improve the quality of life for all Americans by ensuring the preservation of our natural resources.

WALTER B. JONES

WASHINGTON, DC.—Walter B. Jones (D-NC), Chairman of the House Merchant Marine and Fisheries Committee, died this afternoon. He had been hospitalized at Sentara Norfolk General Hospital since August 25 for the treatment of pneumonia and complications from that illness.

The 79 year old U.S. Representative earlier this year announced that he would retire at the end of this Congress.

He is survived by his wife, Elizabeth Fischer Jones, and two children, Walter and DotDee, from his marriage to Doris Long (deceased). His son, Walter Jones, Jr., a member of the North Carolina State House of Representatives, and his wife, Joe Anne, have one child, Ashley. His daughter, DotDee, is married to Jack Slaughter and has three children, Jayme, Chris, and Valerie Fountain.

Funeral arrangements are incomplete. The family suggests that donations in the Chairman's name can be made to the Walter B. Jones, Sr. Scholarship Fund at the North Carolina State University Humanities Foundation.

Congressman Jones was born in Fayetteville, North Carolina, and graduated from North Carolina State University in 1934. He was in the office supply business from 1934 until 1949 when he was elected mayor of Farmville, North Carolina. He served as mayor until 1953. He was a representative in the North Carolina General Assembly in 1955, 1957, and 1959, and the State Senate in 1965.

Chairman Jones was first elected to Congress in a special election on February 5, 1966. The voters of northeastern and coastal North Carolina returned him to office in every succeeding election. He was elected Chairman of the House Merchant Marine and Fisheries Committee in 1981, and also served as Chairman of the Merchant Marine Subcommittee. He has been a Member of the House Agriculture Committee and chaired that panel's Subcommittee on Tobacco for many years prior to taking the helm of the Merchant Marine and Fisheries Committee.

With a jurisdiction as wide as the oceans, the Merchant Marine and Fisheries Committee Chairmanship afforded Chairman Jones the opportunity to play a leadership role in issues ranging from promoting the rebirth of the United States Merchant Marine to overhauling federal laws designed to prevent, and assess liability for, marine oil spills.

Following is a summary of major accomplishments of the Merchant Marine and Fisheries Committee under Chairman Jones' leadership:

The Oil Pollution Act of 1990 (OPA 90) put in place new standards to prevent oil spills, drastically increased liability limits for those responsible for spills, and established an industry-financed fund to compensate those injured by a spill.

Jones' amendments in 1990 to the Coastal Zone Management Act (CZMA) overturned a Supreme Court decision which had diminished a state's right to review federal actions that affected that state's coastal areas.

The Chairman was an avid opponent of the imposition of a Coast Guard "user fee" on

the nation's recreational boaters and has been a vocal leader in the effort to repeal this tax—an effort that is now on the threshold of Congressional approval.

Seeking a balance between legitimate concerns for the arctic environment and the nation's energy needs, Chairman Jones has advocated opening portions of the Arctic National Wildlife Refuge to explore and develop potential energy resources only under the most stringent environmental safeguards.

Chairman Jones has also been in the forefront of efforts to limit offshore oil and gas development. He authored the provisions of the energy bill currently in conference which impose a ten-year moratorium on outer Continental Shelf (OCS) lease sales virtually everywhere except in the Gulf of Mexico and parts of Alaska. The Jones' provisions also call for the "Buy-back" of existing leases in particularly sensitive areas offshore North Carolina, Florida, and in Bristol Bay, Alaska.

Jones has been a strong proponent of efforts to strengthen American capacities for oceanographic research, successfully resisting relentless Administration efforts to eliminate the Sea Grant program and pushing hard for a modern and efficient fleet of research ships for the National Oceanic and Atmospheric Administration.

Chairman Jones was the prime sponsor of the Shipping Act of 1984, a major rewrite of the laws regulating the ocean transportation of goods to and from the United States. He most recently served on an Advisory Commission which reviewed the implementation of the 1984 Act and made recommendations for change.

After many years of being a lonely voice for the U.S. merchant fleet, Chairman Jones' advocacy of a strong domestic fleet became a popular cause after the Persian Gulf War when it became obvious that this critical component of our military readiness, though manned by patriotic and valiant mariners, no longer had a sufficient number of ships to meet our sealift needs. For many years, Jones has led Congressional efforts to bring back a U.S.-flag merchant fleet that would be capable of being pressed into service during an emergency, and has most recently been behind successful proposals to include specific sealift monies in DOD appropriations bills.

Chairman Jones was the author of the Foreign Shipping Practices Act that gave the Federal Maritime Commission the authority to investigate and take action against foreign policies discriminatory to U.S. carriers.

Under Chairman Jones' leadership, the National Marine Sanctuary Program has blossomed. Enacted by his Committee to protect valuable coastal or ocean areas, the first sanctuary designated was the site of the USS MONITOR off Cape Hatteras. When Congressman Jones took over the Committee, the Sanctuary program consisted of three sites covering 1,350 square miles. By the end of this year, it will include 13 sites totalling nearly 11,000 square miles.

Throughout the tenure of Chairman Jones, the Committee has been a major force in fisheries policy. Successes include prohibitions on the use of large-scale driftnets in tuna fishing, a method of fishing which can kill dolphin and other untargeted marine fish and birds; and, successful efforts to rebuild declining striped bass stocks, including those in the Albemarle-Pamlico Sound. Over the past four years, Chairman Jones has won over $1 million in improvements for the National Marine Fisheries Service Laboratory in Beaufort, North Carolina.

While his duties as Chairman involved Congressman Jones in national and international issues, he was also an outstanding steward of the interests of the people of the First District of North Carolina. His position allowed him to have an impact on many questions vital to the interests of North Carolina's coastline.

During the final day of the Conference Committee on the Oil Pollution Act of 1990, a Conference which Congressman Jones chaired, he added a provision delaying a proposal by Mobil Oil to drill a gas well off Cape Hatteras until a panel of scientists reviewed the existing environmental data and reported on its sufficiency. The Panel has recommended the completion of six additional studies and Interior Secretary Lujan has said he will comply with these recommendations before going forward with approval of the Mobil project.

Chairman Jones authored legislation to reform the National Flood Insurance program to help homeowners and communities deal with coastal erosion and save money for both property owners and the federal goernment. This program has proved critically important to North Carolina's Outer Banks where violent weather puts many coastal homes at risk.

The Congressman amended the Clean Water Act to establish the Albermarle-Pamlico Estuarine System in North Carolina—the second largest estuary in the country—in a federal effort to recognize nationally important estuarine habitat and develop comprehensive management planning for these ecosystems.

Chairman Jones has been the leading voice in Congress to eliminate bureaucratic roadblocks that have prevented the construction of jetties to stabilize Oregon Inlet. Legislation he introduced in 1984 to allow the jetties to be built passed the House but died in the Senate.

During Chairman Jones' tenure in Congress, the number of National Wildlife Refuges in North Carolina's First Congressional District a program authorized by his Committee, has increased from seven to 11, protecting approximately 400,000 acres of natural areas.

Chairman Jones secured more than $3 million in federal funds for the acquisition of land in the sensitive Buxton Woods maritime forest. The Congressman also worked with conservation and community groups to force the Resolution Trust Corporation to sell the Nags Head Woods maritime forest, at a reduced price, to the North Carolina Nature Conservancy.

The expansion of the Fort Raleigh Historic Site has been a priority of Congressman Jones' for several years. He was successful last year in earmarking $5.6 million to buy land adjacent to Fort Raleigh that was threatened with development.

The resolution was agreed to.

A motion to reconsider was laid on the table.

GOVERNMENT SECURITIES REFORM ACT OF 1992

Mr. MARKEY. Mr. Speaker, I move to suspend the rules and pass the Senate bill (S. 1699) to prevent false and misleading statements in connection with offerings of government securities, as amended.

The Clerk read as follows:

S. 1699

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

SECTION 1. SHORT TITLE.

This Act may be cited as the "Government Securities Reform Act of 1992".

TITLE I—GOVERNMENT SECURITIES SECONDARY MARKET REGULATION

SEC. 101. EXTENSION OF GOVERNMENT SECURITIES RULEMAKING AUTHORITY.

Section 15C(g)(1) of the Securities Exchange Act of 1934 (15 U.S.C. 78o-5(g)(1)) is amended by striking "October 1, 1991" and inserting "October 1, 1997".

SEC. 102. RECORDKEEPING.

Section 17 of the Securities Exchange Act of 1934 (15 U.S.C. 78q) is amended by adding at the end thereof the following new subsection:

"(i) GOVERNMENT SECURITIES RECORDKEEPING.—

"(1) MAINTENANCE OF RECORDS.—The Commission may prescribe rules to require any government securities broker or government securities dealer to make, keep, and maintain for prescribed periods, in a form and containing such information as may be specified by the Commission, records of government securities transactions, including (but not limited to) records of the date and time of execution of trades.

"(2) EXAMINATION OF RECORDS.—Every government securities broker and government securities dealer shall make such records available for examination to representatives of the appropriate regulatory agency for such government securities broker or government securities dealer and furnish copies thereof to such representatives on request.

"(3) FURNISHING RECORDS TO RECONSTRUCT TRADING.—Every government securities broker and government securities dealer shall furnish to the Commission on request such of the information required to be made, kept, or maintained under this subsection as the Commission may require to reconstruct trading in furtherance of the purposes of this title. In requiring information pursuant to this paragraph, the Commission shall specify the information required, the period for which it is required, the time and date on which the information must be furnished, and whether the information is to be furnished directly to the Commission, to the Federal Reserve Bank of New York, or to an appropriate regulatory agency or self-regulatory organization with responsibility for examining the government securities broker or government securities dealer. The Commission may require that such information be furnished in machine readable form.

"(4) LIMITATION; CONSTRUCTION.—The Commission shall not utilize its authority under this subsection to develop regular reporting requirements for information concerning a substantial segment of all daily transactions in government securities; however, the Commission may require information to be furnished under this subsection as frequently as necessary for particular inquiries or investigations. The Commission shall, where feasible, avoid requiring any information to be furnished under this subsection that the Commission may obtain from the Federal Reserve Bank of New York.

"(5) CONSULTATION REQUIREMENT.—In making rules under this subsection applicable to government securities brokers and government securities dealers for which a Federal banking agency is the appropriate regulatory agency, the Commission shall consult with and consider the views of each such ap-

propriate regulatory agency. If a Federal banking agency comments in writing on a proposed rule under this subsection that has been published for comment, the Commission shall respond in writing to such written comment before adopting the proposed rule. The Commission shall, at the request of the Federal banking agency, publish such comment and response in the Federal Register at the time of publishing the adopted rule. For purposes of this paragraph, the term 'Federal banking agency' has the meaning provided in subsection (h)(3)(G).

"(6) AUTHORITY OF THE COMMISSION TO LIMIT DISCLOSURE OF INFORMATION.—Notwithstanding any other provision of law, the Commission and the appropriate regulatory agencies shall not be compelled to disclose any information required under this subsection. Nothing in this subsection shall authorize the Commission or any appropriate regulatory agency to withhold information from Congress, or prevent the Commission or any appropriate regulatory agency from complying with a request for information from any other Federal department or agency requesting information for purposes within the scope of its jurisdiction, or complying with an order of a court of the United States in an action brought by the United States, the Commission, or the appropriate regulatory agency. For purposes of section 552 of title 5, United States Code, this subsection shall be considered a statute described in subsection (b)(3)(B) of such section 552.".

SEC. 103. LARGE POSITION REPORTING.

(a) AMENDMENT.—Section 15C of the Securities Exchange Act of 1934 (15 U.S.C. 78o-5) is amended—

(1) by redesignating subsections (f) and (g) as subsections (g) and (h); and

(2) by inserting after subsection (e) the following new subsection:

"(f) LARGE POSITION REPORTING.—

"(1) REPORTING REQUIREMENTS.—The Secretary may adopt rules to require specified persons holding, maintaining, or controlling large positions in to-be-issued or recently issued Treasury securities to file such reports regarding such positions as the Secretary determines to be necessary or appropriate for the purpose of monitoring the impact in the Treasury securities market of concentrations of positions in Treasury securities and for the purpose of otherwise assisting the Commission in the enforcement of this title. Reports required under this subsection shall be filed with the Federal Reserve Bank of New York, acting as agent for the Secretary, and shall be provided by that Federal Reserve Bank to the Commission on a timely basis.

"(2) LIMITATION ON REQUIRING CERTAIN REPORTS.—The Secretary may not require under this subsection—

"(A) reports from persons that are not government securities brokers or government securities dealers, or

"(B) reports from government securities brokers and government securities dealers that identify particular customers and customer positions,

except when the Secretary determines, after consultation with the Commission and the Board of Governors of the Federal Reserve System, that market conditions exist that require such information be obtained to carry out the purposes of this subsection.

"(3) ADDITIONAL CONSIDERATIONS.—In making determinations under paragraphs (1) and (2), the Secretary shall take into account any impact on the efficiency and liquidity of the Treasury securities market and on the cost to the taxpayers of funding the Federal debt.

"(4) RECORDKEEPING REQUIREMENTS.—Rules under this subsection may require persons holding, maintaining, or controlling large positions in Treasury securities to make and keep for prescribed periods such records as the Secretary determines are necessary or appropriate to ensure that such persons can comply with reporting requirements under this subsection.

"(5) AGGREGATION RULES.—Rules under this subsection—

"(A) may prescribe the manner in which positions and accounts shall be aggregated for the purpose of this subsection, including aggregation on the basis of common ownership or control; and

"(B) may define which persons (individually or as a group) hold, maintain, or control large positions.

"(6) DEFINITIONAL AUTHORITY; DETERMINATION OF REPORTING THRESHOLD.—

"(A) In prescribing rules under this subsection, the Secretary may, consistent with the purpose of this subsection, define terms used in this subsection that are not otherwise defined in section 3 of this title.

"(B) Rules under this subsection shall specify—

"(i) the minimum size of positions subject to reporting under this subsection, taking into account the purposes of this subsection and the potential for price distortions or other anomalies resulting from large positions;

"(ii) the types of positions (which may include financing arrangements) to be reported;

"(iii) the securities to be covered; and

"(iv) the form and manner in which reports shall be transmitted, which may include transmission in machine readable form.

"(7) LIMITATION ON DISCLOSURE OF INFORMATION.—Notwithstanding any other provision of law, the Secretary and the Commission shall not be compelled to disclose any information required to be kept or reported under this subsection. Nothing in this subsection shall authorize the Secretary or the Commission to withhold information from Congress, or prevent the Secretary or the Commission complying with a request for information from any other Federal department or agency requesting information for purposes within the scope of its jurisdiction, or complying with an order of a court of the United States in an action brought by the United States, the Secretary, or the Commission. For purposes of section 552 of title 5, United States Code, this subsection shall be considered a statute described in subsection (b)(3)(B) of such section 552.".

(b) CONFORMING AMENDMENT.—Section 15C(d)(2) of such Act is amended to read as follows:

"(2) Information received by an appropriate regulatory agency, the Secretary, or the Commission from or with respect to any government securities broker, government securities dealer, any person associated with a government securities broker or government securities dealer, or any other person subject to this section or rules promulgated thereunder, may be made available by the Secretary or the recipient agency to the Commission, the Secretary, the Department of Justice, the Commodity Futures Trading Commission, any appropriate regulatory agency, any self-regulatory organization, or any Federal Reserve Bank.".

SEC. 104. AUTHORITY OF THE COMMISSION TO REGULATE TRANSACTIONS IN EXEMPTED SECURITIES.

(a) PREVENTION OF FRAUDULENT AND MANIPULATIVE ACTS AND PRACTICES.—Section 15(c)(2) of the Securities Exchange Act of 1934 (15 U.S.C. 78o(c)(2)) is amended—

(1) by inserting "(A)" after "(2)";

(2) by striking "fictitious quotation, and no municipal securities dealer" and inserting the following:

"fictitious quotation.

"(B) No municipal securities dealer";

(3) by striking "fictitious quotation. The Commission shall" and inserting the following:

"fictitious quotation.

"(C) No government securities broker or government securities dealer shall make use of the mails or any means or instrumentality of interstate commerce to effect any transaction in, or induce or attempt to induce the purchase or sale of, any government security in connection with which such government securities broker or government securities dealer engages in any fraudulent, deceptive, or manipulative act or practice, or makes any fictitious quotation.

"(D) The Commission shall"; and

(4) by inserting at the end thereof the following:

"(E) The Commission shall, prior to adopting rules or regulations under subparagraph (C), consult with and consider the views of the Secretary of the Treasury and the Board of Governors of the Federal Reserve System. If the Secretary of the Treasury or the Board of Governors of the Federal Reserve System comments in writing on a proposed rule or regulation of the Commission under such subparagraph (C) that has been published for comment, the Commission shall respond in writing to such written comment before adopting the proposed rule.".

(b) FRAUDULENT AND MANIPULATIVE DEVICES AND CONTRIVANCES.—Section 15(c)(1) of the Securities Exchange Act of 1934 (15 U.S.C. 78o(c)(1)) is amended—

(1) by inserting "(A)" after "(c)(1)";

(2) by striking "contrivance, and no municipal securities dealer" and inserting the following:

"contrivance.

"(B) No municipal securities dealer";

(3) by striking "contrivance. The Commission shall" and inserting the following:

"contrivance.

"(C) No government securities broker or government securities dealer shall make use of the mails or any means or instrumentality of interstate commerce to effect any transaction in, or to induce or attempt to induce the purchase or sale of, any government security by means of any manipulative, deceptive, or other fraudulent device or contrivance.

"(D) The Commission shall"; and

(4) by inserting at the end thereof the following:

"(E) The Commission shall, prior to adopting rules or regulations under subparagraph (C), consult with and consider the views of the Secretary of the Treasury and the Board of Governors of the Federal Reserve System. If the Secretary of the Treasury or the Board of Governors of the Federal Reserve System comments in writing on a proposed rule or regulation of the Commission under such subparagraph (C) that has been published for comment, the Commission shall respond in writing to such written comment before adopting the proposed rule.".

SEC. 105. BROKER/DEALER SUPERVISION RESPONSIBILITIES.

Section 15 of the Securities Exchange Act of 1934 (15 U.S.C. 78o) is amended by adding

at the end thereof the following new subsection:

"(h) POLICIES AND PROCEDURES TO PREVENT AND DETECT VIOLATIONS.—Every government securities broker and government securities dealer shall establish, maintain, and enforce written policies and procedures reasonably designed, taking into consideration the nature of such person's business, to prevent and detect in connection with the purchase or sale of government securities, insofar as practicable, fraud and manipulation in violation of this title and the rules and regulations thereunder and violations of such other provisions of this title and the rules and regulations thereunder as the Commission shall designate by rule. The Commission, as it deems necessary or appropriate in the public interest or for the protection of investors, shall prescribe rules or regulations to require specific policies or procedures reasonably designed to prevent such violations.".

SEC. 106. SALES PRACTICE RULEMAKING AUTHORITY.

(a) RULES FOR FINANCIAL INSTITUTIONS.—Section 15C(b) of the Securities Exchange Act of 1934 (15 U.S.C. 78o-5(b)) is amended—

(1) by redesignating paragraphs (3), (4), (5), and (6) as paragraphs (4), (5), (6), and (7), respectively; and

(2) by inserting after paragraph (2) the following new paragraph:

"(3) SALES PRACTICE RULES.—(A) With respect to any financial institution that has filed notice as a government securities broker or government securities dealer or that is required to file notice under subsection (a)(1)(B) of this section, the appropriate regulatory agency for such government securities broker or government securities dealer may issue such rules with respect to transactions in government securities as may be necessary to prevent fraudulent and manipulative acts and practices and to promote just and equitable principles of trade.

"(B) Each appropriate regulatory agency shall consult with the other appropriate regulatory agencies for the purpose of ensuring the consistency of the rules prescribed by such agencies under this paragraph. The appropriate regulatory agencies shall consult with and consider the views of the Secretary and the Commission with respect to the impact of such rules on the operations of the market for government securities, consistency with analogous rules of self-regulatory organizations, and the enforcement and administration of such rules. The consultation required by this paragraph shall be conducted prior to the appropriate regulatory agency adopting a rule under this paragraph, unless the appropriate regulatory agency determines that an emergency exists requiring expeditious and summary action and publishes its reasons therefor. If the Secretary or the Commission comments in writing to the appropriate regulatory agency on a proposed rule that has been published for comment, the appropriate regulatory agency shall respond in writing to such written comment before adopting the rule.".

(b) RULES BY REGISTERED SECURITIES ASSOCIATIONS.—

(1) REMOVAL OF LIMITATIONS ON AUTHORITY.—(A) Section 15A of the Securities Exchange Act of 1934 (15 U.S.C. 78o-3) is amended—

(i) by striking subsections (f)(1) and (f)(2); and

(ii) by redesignating subsection (f)(3) as subsection (f).

(B) Section 15A(g) of such Act is amended—

(i) by striking "exempted securities" in paragraph (3)(D) and inserting "municipal securities";

(ii) by striking paragraph (4); and

(iii) by redesignating paragraph (5) as paragraph (4).

(2) OVERSIGHT OF REGISTERED SECURITIES ASSOCIATIONS.—Section 19 of the Securities Exchange Act of 1934 (15 U.S.C. 78s) is amended—

(A) in subsection (b), by adding at the end thereof the following new paragraph:

"(5) The Commission shall consult with and consider the views of the Secretary of the Treasury prior to approving a proposed rule change filed by a registered securities association that primarily concerns conduct related to transactions in government securities, except where the Commission determines that an emergency exists requiring expeditious or summary action and publishes its reasons therefor. If the Secretary comments in writing to the Commission on such proposed rule change that has been published for comment, the Commission shall respond in writing to such written comment before approving the proposed rule change.";

(B) in subsection (c), by adding at the end thereof the following new paragraph:

"(5) Before adopting a rule to amend a rule of a registered securities association that primarily concerns conduct related to transactions in government securities, the Commission shall consult with and consider the views of the Secretary, except where the Commission determines that an emergency exists requiring expeditious or summary action and publishes its reasons therefor. If the Secretary comments in writing to the Commission on such proposed rule change that has been published for comment, the Commission shall respond in writing to such written comment before approving the proposed rule change.".

(3) CONFORMING AMENDMENT.—

(A) Section 3(a)(12)(B)(ii) of such Act (15 U.S.C. 78b(a)(12)(B)(ii)) is amended by striking "15, 15A (other than subsection (g)(3)), and 17A" and inserting "15 and 17A".

(B) Section 15(b)(7) of such Act (15 U.S.C. 78o(b)(7)) is amended by inserting "or government securities broker or government securities dealer registered (or required to register) under section 15C(a)(1)(A)" after "No registered broker or dealer".

SEC. 107. MARKET INFORMATION.

(a) TRANSPARENCY.—The Securities Exchange Act of 1934 is amended by adding at the end of section 11A (15 U.S.C. 78k-1) the following:

"MARKET INFORMATION WITH RESPECT TO GOVERNMENT SECURITIES

"SEC. 11B. (a) FINDINGS.—The Congress finds that—

"(1) it is necessary and appropriate for the protection of investors to assure public dissemination of information concerning government securities transactions and quotations;

"(2) government securities brokers, government securities dealers, and government securities information systems have created substantial transparency through the dissemination of information concerning government securities transactions and quotations and are expected to maintain and improve such transparency through voluntary actions; and

"(3) if such voluntary actions do not attain the objectives stated in subsections (b) and (c), the Commission should have the authority, in accordance with the requirements of this section, to assure the attainment of those objectives.

"(b) GOVERNMENT SECURITIES INFORMATION SYSTEMS.—

"(1) CONDITIONAL AUTHORITY.—Upon a finding by the Commission that information available to investors generally through government securities information systems taken as a whole does not meet the objectives set forth in paragraph (2) with respect to a class or category of regularly traded government securities, the Commission, having due regard for the public interest, the protection of investors, the maintenance of fair and orderly markets, the integrity, liquidity, and efficiency of the government securities market, and the fostering of competition, may prescribe rules applicable to government securities information systems to the extent necessary to assure that government securities information systems meet the objectives set forth in paragraph (2) with respect to such class or category of securities. The Commission (A) shall not utilize its authority under this paragraph to regulate the amount of fees charged for information, and (B) shall not require dissemination through government securities information systems of information not transmitted by or through government securities interdealer brokers (or their functional equivalents).

"(2) OBJECTIVES.—The Commission may not take action under paragraph (1) of this subsection unless the Commission makes the finding required by paragraph (1) and determines that such action is necessary or appropriate—

"(A) to assure that information on transactions in and quotations for a class or category of regularly traded government securities being reported through government securities information systems taken as a whole is available to investors generally and includes—

"(i) information concerning price and volume with respect to a reasonably sufficient number or proportion of transactions in any security in such class or category to permit the determination of the prevailing market price for such security; and

"(ii) reports of the highest bids and lowest offers for any security in such class or category being reported through such systems (including the size at which government securities brokers and dealers are willing to trade with respect to such bids and offers);

"(B) to assure that such information is timely reported;

"(C) to assure that such information is made available to investors generally on a fair, reasonable, and nondiscriminatory basis; and

"(D) to assure the ability of investors to obtain and retain such information for analytical purposes.

"(c) STANDBY AUTHORITY WITH RESPECT TO MARKET INFORMATION.—

"(1) AUTHORITY.—Subject to paragraph (2), the Commission by rule—

"(A) may require any government securities broker or government securities dealer that regularly trades a security as to which the Secretary of the Treasury has made a determination under paragraph (2) to report any purchase or sale of such a security to any securities information processor that has the capability and agrees to disseminate such reports or, if there is no such processor, to a self-regulatory organization designated by the Commission to receive such reports, and may require such securities information processor or self-regulatory organization to make information with respect to such purchase or sale publicly available on fair, reasonable, and nondiscriminatory terms and conditions; and

"(B) may require any self-regulatory organization, and any government securities broker or government securities dealer that

regularly trades such securities, to act jointly in planning, developing, or operating facilities for the dissemination of information with respect to purchases or sales of government securities.

"(2) INADEQUATE PRICE INFORMATION FINDING REQUIRED.—The Commission may not take an action authorized by paragraph (1) of this subsection with respect to any class or category of regularly traded government securities unless the Secretary of the Treasury, after consultation with the Commission, determines that information that is available to investors generally with respect to such class or category either—

"(A) does not permit investors in general to determine readily the prevailing market price of securities in such class or category of regularly traded government securities; or

"(B) is no longer representative of the market for such class or category of government securities.

"(3) RULE OF CONSTRUCTION.—This subsection is not intended to authorize the Commission to require the establishment or use of a consolidated trading system for government securities.

"(d) RULEMAKING.—

"(1) Consultation.—In making rules under this section, the Commission shall consult with and consider the views of the Secretary of the Treasury and the Board of Governors of the Federal Reserve System. If the Secretary of the Treasury or the Board of Governors of the Federal Reserve System comments in writing on a proposed rule that has been published for comment, the Commission shall respond in writing to such written comment before adopting the proposed rule. Prior to prescribing a rule pursuant to subsection (c), the Commission shall consult with representatives of the persons described in subsection (a)(2).

"(2) STANDARDS.—In making rules under this subsection, the Commission may designate classes or categories of government securities, establish standards for determining whether they are regularly traded, and establish standards for determining whether a person regularly trades such government securities or a class or category of such government securities.

"(e) EXAMINATION ACCESS.—

"(1) AUTHORITY TO EXAMINE.—Systems and operations of government securities information systems (and records relating thereto) are subject to reasonable examination by representatives of the Commission—

"(A) to assess whether the objectives set forth in subsection (b)(2) of this section are being met; and

"(B) to assess compliance with any rules or regulations under this section.

"(2) LIMITATIONS.—The Commission shall have no authority under this section—

"(A) to examine the financial, personnel, marketing, sales, product, and service development, or similar business records of such person; or

"(B) to examine systems and operations unrelated to dissemination of government securities information.

The Commission may not examine contracts except to the extent necessary to assess whether the objectives set forth in subsections (b)(2)(C) and (b)(2)(D) of this section are being met, and to determine compliance with rules prescribed for purposes of such subsections.

"(3) PROTECTION OF INFORMATION.—Notwithstanding any other provision of law, the Commission (and any Federal agency or department to which such information is disclosed) shall not be compelled to disclose any information obtained by the Commission in an examination under this subsection. Furthermore, the Commission (and any Federal agency or department to which such information is disclosed) shall not publicly disclose information obtained by the Commission in such an examination, except that this sentence shall not prohibit the disclosure of such information in a proceeding brought by the Commission. Nothing in this section shall authorize the Commission to withhold information from Congress, or prevent the Commission or any appropriate regulatory agency from complying with a request for information from any other Federal department or agency requesting information for purposes within the scope of its jurisdiction, or complying with an order of a court of the United States in an action brought by the United States, the Commission, or the appropriate regulatory agency. For purposes of section 552 of title 5, United States Code, this subsection shall be considered a statute described in subsection (b)(3)(B) of such section 552.

"(f) VIOLATIONS OF RULES PROHIBITED.—No government securities broker, government securities dealer, securities information processor, or government securities information system shall make use of the mails or any means or instrumentality of interstate commerce to effect any transaction in, to induce the purchase or sale of, or to distribute or disseminate any quotation or transaction report for, any government security in contravention of any rule adopted pursuant to this section.

"(g) EFFECTIVE DATE OF RULEMAKING AUTHORITY.—The authority of the Commission to prescribe rules under subsections (b) and (c) is effective on October 1, 1993.

"(h) DEFINITION.—For purposes of this section, the term 'government securities' does not include a security secured by an interest in pools of mortgages representing liens on residential real estate.".

(b) CONFORMING AMENDMENTS.—The Securities Exchange Act of 1934 is amended—

(1) by striking "(other than an exempted security)" in section 3(a)(22)(A);

(2) by adding at the end of section 3(a) the following:

"(53) The term 'government securities information system' means any person engaged in the business of operating a system for the timely, automated dissemination to more than 10 persons of (A) quotations for government securities of or through government securities interdealer brokers (or their functional equivalents), or (B) reports of purchases or sales of government securities by or through government securities interdealer brokers (or their functional equivalents).";

and

(3) by inserting at the end of section 11A(b)(1) the following: "The Commission shall not require any securities information processor to register under this section in connection with its activities with respect to quotations for or transactions in exempted securities.".

(c) STUDIES WITH RESPECT TO MORTGAGE-BACKED GOVERNMENT SECURITIES.—

(1) STUDIES REQUIRED.—With respect to government securities (as defined in section 3(a)(42) of the Securities Exchange Act of 1934) that are secured by an interest in pools of mortgages representing liens on residential real estate (hereafter in this subsection referred to as 'mortgage-backed government securities'), the Secretary of the Treasury, the Securities and Exchange Commission, and the Board of Governors of the Federal Reserve System shall monitor and evaluate the effectiveness of private sector efforts to disseminate mortgage-backed government securities price and volume information, and determine whether such efforts—

(A) assure the prompt, accurate, reliable, and fair reporting, collection, processing, distribution, and publication of information with respect to quotations for and transactions in mortgage-backed government securities and the fairness and usefulness of the form and content of such information;

(B) assure that all mortgage-backed government securities information processors may, for the purpose of distribution and publication, obtain on fair and reasonable terms such information with respect to quotations for and transactions in mortgage-backed government securities, as reported, collected, processed, or prepared for distribution or publication by any processor of such information (including self-regulatory organizations) acting in an exclusive capacity; and

(C) assure that all mortgage-backed government securities brokers, mortgage-backed government securities dealers, mortgage-backed government securities information processors, and other appropriate persons may obtain on nondiscriminatory terms such information with respect to quotations for and transactions in mortgage-backed government securities as is distributed or published.

(2) REPORTS.—The Secretary of the Treasury, the Securities and Exchange Commission, and the Board of Governors of the Federal Reserve System shall each submit a report to the Congress describing its findings under this subsection and any recommendations for legislation not later than 18 months after the date of enactment of this Act.

SEC. 108. STUDY OF REGULATORY SYSTEM FOR GOVERNMENT SECURITIES.

(a) JOINT STUDY.—The Secretary of the Treasury, the Securities and Exchange Commission, and the Board of Governors of the Federal Reserve System shall—

(1) evaluate the effectiveness of any rules promulgated or amended after October 1, 1991, pursuant to section 15C of the Securities Exchange Act of 1934 or any amendment made by this title, and any national securities association rule changes applicable principally to government securities transactions approved after October 1, 1991, in carrying out the purposes of such Act;

(2) evaluate the effectiveness of surveillance and enforcement with respect to government securities, and the impact on such surveillance and enforcement of defects in any available audit trails with respect to transactions in such securities; and

(3) submit to the Congress, not later than March 31, 1997, any recommendations they may consider appropriate concerning—

(A) the regulation of government securities brokers and government securities dealers,

(B) the dissemination of information concerning quotations for and transactions in government securities,

(C) the prevention of sales practice abuses in connection with transactions in government securities, and

(D) such other matters as they consider appropriate.

(b) GAO STUDY.—The Comptroller General shall—

(1) conduct a study of the effectiveness of regulation of government securities brokers and government securities dealers pursuant to section 15C of the Securities Exchange Act of 1934 and the effectiveness of the amendments made by this title; and

(2) submit to the Congress, not later than March 31, 1996, the Comptroller General's

recommendations for change, if any, or such other recommendations as the Comptroller General considers appropriate.

SEC. 109. TECHNICAL AMENDMENTS.

(a) AMENDMENTS TO DEFINITIONS.—Section 3(a) of the Securities Exchange Act of 1934 (15 U.S.C. 78c(a)) is amended—

(1) in paragraph (34)(G) (relating to the definition of appropriate regulatory agency), by amending clauses (ii), (iii), and (iv) to read as follows:

"(ii) the Board of Governors of the Federal Reserve System, in the case of a State member bank of the Federal Reserve System, a foreign bank, an uninsured State branch or State agency of a foreign bank, a commercial lending company owned or controlled by a foreign bank (as such terms are used in the International Banking Act of 1978), or a corporation organized or having an agreement with the Board of Governors of the Federal Reserve System pursuant to section 25 or section 25A of the Federal Reserve Act;

"(iii) the Federal Deposit Insurance Corporation, in the case of a bank insured by the Federal Deposit Insurance Corporation (other than a member of the Federal Reserve System or a Federal savings bank) or an insured State branch of a foreign bank (as such terms are used in the International Banking Act of 1978);

"(iv) the Director of the Office of Thrift Supervision, in the case of a savings association (as defined in section 3(b) of the Federal Deposit Insurance Act) the deposits of which are insured by the Federal Deposit Insurance Corporation;";

(2) by amending paragraph (46) (relating to the definition of financial institution) to read as follows:

"(46) The term 'financial institution' means—

"(A) a bank (as defined in paragraph (6) of this subsection);

"(B) a foreign bank (as such term is used in the International Banking Act of 1978); and

"(C) a savings association (as defined in section 3(b) of the Federal Deposit Insurance Act) the deposits of which are insured by the Federal Deposit Insurance Corporation."; and

(3) by redesignating paragraph (51) (as added by section 204 of the International Securities Enforcement Cooperation Act) as paragraph (52).

(b) EFFECTIVE DATE OF BROKER/DEALER REGISTRATION.—

(1) GOVERNMENT SECURITIES BROKERS AND DEALERS.—Section 15C(a)(2)(ii) of the Securities Exchange Act of 1934 (15 U.S.C. 78o-5(a)(2)(ii)) is amended by inserting before "At the conclusion" the following: "The order granting registration shall not be effective until such government securities broker or government securities dealer has become a member of a national securities exchange registered under section 6 of this title, or a securities association registered under section 15A of this title, unless the Commission has exempted such government securities broker or government securities dealer, by rule or order, from such membership.".

(2) OTHER BROKERS AND DEALERS.—Section 15(b)(1)(B) of such Act (15 U.S.C. 78o(b)(1)(B)) is amended by inserting before "At the conclusion" the following: "The order granting registration shall not be effective until such broker or dealer has become a member of a registered securities association, or until such broker or dealer has become a member of a national securities exchange if such broker or dealer effects transactions solely on that exchange, unless the Commission has exempted such broker or dealer, by rule or order, from such membership.".

SEC. 110. OFFERINGS OF CERTAIN GOVERNMENT SECURITIES.

Section 15 of the Securities Exchange Act of 1934 (15 U.S.C. 78o) is amended by inserting after paragraph (6) of subsection (c) the following new paragraph:

"(7) In connection with any bid for or purchase of a government security related to an offering of government securities by or on behalf of an issuer, no government securities broker, government securities dealer, or bidder for or purchaser of securities in such offering shall knowingly or willfully make any false or misleading written statement or omit any fact necessary to make any written statement made not misleading. For purposes of the preceding sentence, the term 'government security' shall not include any public debt obligation (as defined in section 3121(i)(3)(A) of title 31, United States Code)."

SEC. 111. RULE OF CONSTRUCTION.

(a) IN GENERAL.—Except as provided in section 3121(i) of title 31, United States Code, as added by section 201 of this Act, no provision of, or amendment made by, this title may be construed—

(1) to apply to the initial issuance of any public debt obligation, or

(2) to grant any authority to (or extend any authority of) the Securities and Exchange Commission—

(A) to prescribe any procedure, term, or condition governing such initial issuance,

(B) to require any recordkeeping, or the furnishing of any information, with respect to such initial issuance, or

(C) to otherwise regulate in any manner such initial issuance.

(b) PUBLIC DEBT OBLIGATION.—For purposes of this section, the term "public debt obligation" means an obligation subject to the public debt limit established in section 3101 of title 31, United States Code.

TITLE II—PRIMARY MARKET TRANSACTIONS IN PUBLIC DEBT SECURITIES

SEC. 201. ANTI-FRAUD PROVISIONS.

Section 3121 of title 31, United States Code, is amended by adding at the end thereof the following new subsection:

"(i)(1) In connection with any bid for or purchase of a public debt obligation related to an offering of public debt obligations under this chapter or otherwise by or on behalf of the issuer, no government securities broker, government securities dealer, or bidder for or purchaser of obligations in such offering shall knowingly or willfully make any false or misleading written statement or omit any fact necessary to make any written statement made not misleading.

"(2) All provisions of law (including penalties) applicable to section 15(c)(7) of the Securities Exchange Act of 1934 shall apply with respect to paragraph (1) of this subsection in the same manner as if such paragraph were a part of such section 15(c)(7).

"(3) As used in this subsection—

"(A) 'public debt obligation' means an obligation subject to the public debt limit established in section 3101 of this title,

"(B) 'government securities broker' has the meaning prescribed in section 3(a)(43) of the Securities Exchange Act of 1934, and

"(C) 'government securities dealer' has the meaning prescribed in section 3(a)(44) of the Securities Exchange Act of 1934."

SEC. 202. ANNUAL REPORT ON PUBLIC DEBT.

(a) GENERAL RULE.—Subchapter II of chapter 31 of title 31, United States Code, is amended by adding at the end thereof the following new section:

"§ 3130. Annual public debt report

"(a) GENERAL RULE.—On or before June 1 of each calendar year after 1992, the Secretary of the Treasury shall submit a report to the Committee on Ways and Means of the House of Representatives and the Committee on Finance of the Senate on—

"(1) the Treasury's public debt activities, and

"(2) the operations of the Federal Financing Bank.

"(b) REQUIRED INFORMATION ON PUBLIC DEBT ACTIVITIES.—Each report submitted under subsection (a) shall include the following information:

"(1) A table showing the following information with respect to the total public debt:

"(A) The past levels of such debt and the projected levels of such debt as of the close of the current fiscal year and as of the close of the next 5 fiscal years under the most recent current services baseline projection of the executive branch.

"(B) The past debt to GDP ratios and the projected debt to GDP ratios as of the close of the current fiscal year and as of the close of the next 5 fiscal years under such most recent current services baseline projection.

"(2) A table showing the following information with respect to the net public debt:

"(A) The past levels of such debt and the projected levels of such debt as of the close of the current fiscal year and as of the close of the next 5 fiscal years under the most recent current services baseline projection of the executive branch.

"(B) The past debt to GDP ratios and the projected debt to GDP ratios as of the close of the current fiscal year and as of the close of the next 5 fiscal years under such most recent current services baseline projection.

"(C) The interest cost on such debt for prior fiscal years and the projected interest cost on such debt for the current fiscal year and for the next 5 fiscal years under such most recent current services baseline projection.

"(D) The interest cost to outlay ratios for prior fiscal years and the projected interest cost to outlay ratios for the current fiscal year and for the next 5 fiscal years under such most recent current services baseline projection.

"(3) A table showing the maturity distribution of the net public debt as of the time the report is submitted and for prior years, and an explanation of the overall financing strategy used in determining the distribution of maturities when issuing public debt obligations.

"(4) A table showing the following information as of the time the report is submitted and for prior years:

"(A) A description of the various categories of the holders of public debt obligations.

"(B) The portions of the total public debt held by each of such categories.

"(5) A table showing the relationship of federally assisted borrowing to total Federal borrowing as of the time the report is submitted and for prior years.

"(6) A table showing the annual principal and interest payments which would be required to amortize in equal annual payments the level (as of the time the report is submitted) of the net public debt over the longest remaining term to maturity of any obligation which is a part of such debt.

"(c) REQUIRED INFORMATION ON FEDERAL FINANCING BANK.—Each report submitted under subsection (a) shall include information on the levels and categories of the lending activities of the Federal Financing Bank for

the current fiscal year and for prior fiscal years.

"(d) RECOMMENDATIONS.—The Secretary of the Treasury may include in any report submitted under subsection (a) such recommendations to improve the issuance and sale of public debt obligations (and with respect to other matters) as he may deem advisable.

"(e) DEFINITIONS.—For purposes of this section—

"(1) CURRENT FISCAL YEAR.—The term 'current fiscal year' means the fiscal year ending in the calendar year in which the report is submitted.

"(2) TOTAL PUBLIC DEBT.—The term 'total public debt' means the total amount of the obligations subject to the public debt limit established in section 3101 of this title.

"(3) NET PUBLIC DEBT.—The term 'net public debt' means the portion of the total public debt which is held by the public.

"(4) DEBT TO GDP RATIO.—The term 'debt to GDP ratio' means the percentage obtained by dividing the level of the total public debt or net public debt, as the case may be, by the gross domestic product.

"(5) INTEREST COST TO DEBT RATIO.—The term 'interest cost to outlay ratio' means, with respect to any fiscal year, the percentage obtained by dividing the interest cost for such fiscal year on the net public debt by the total amount of Federal outlays for such fiscal year."

(b) CLERICAL AMENDMENT.—The analysis for subchapter II of chapter 31 of title 31, United States Code, is amended by adding at the end thereof the following new item:

"3130. Annual public debt report."

"3130. Annual public debt report."

SEC. 203. TREASURY STUDY ON MODIFICATIONS TO AUCTION SYSTEM.

(a) GENERAL RULE.—The Secretary of the Treasury shall conduct a study on—

(1) proposals for reforming the system for issuing public debt obligations (including the use of a uniform-price, open auction system), and

(2) the impact (if any) on the primary market for public debt obligations of recent administrative and legislative changes with respect to public debt markets.

(b) REPORT.—Not later than January 1, 1993, the Secretary of the Treasury shall submit to the Congress a report on the study conducted under subsection (a), together with such recommendations as he may deem advisable.

(c) SPECIAL RULE.—The Secretary of the Treasury shall not implement a uniform-price, open auction system for issuing public debt obligations before the date on which the report on the study conducted under subsection (a) is submitted as required in subsection (b).

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Massachusetts [Mr. MARKEY] will be recognized for 20 minutes, and the gentleman from New Jersey [Mr. RINALDO] will be recognized for 20 minutes.

Mr. GONZALEZ. Mr. Speaker, I would like to ask the gentleman from New Jersey [Mr. RINALDO] if he is opposed to the bill.

Mr. RINALDO. Mr. Speaker, I am not opposed to the bill.

Mr. GONZALEZ. Mr. Speaker, then I demand time because I am in opposition to the bill.

The SPEAKER pro tempore. The gentleman from Texas [Mr. GONZALEZ] qualifies and is recognized for 20 minutes in opposition to the bill.

The Chair recognizes the gentleman from Massachusetts [Mr. MARKEY].

Mr. MARKEY. Mr. Speaker, I ask unanimous consent that our time be subdivided so that I may yield 10 minutes to the gentleman from Texas [Mr. PICKLE] from the Committee on Ways and Means for his control as well in the course of this hearing.

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

There was no objection.

□ 1550

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

Mr. Speaker, I rise in strong support of S. 1699, and I hope that the Members of this body will support it as well.

The government securities marketplace is a $4 trillion market that finances the U.S. Government's debt, serves as the benchmark for interest rates throughout the global economy, is used by the Federal Reserve to carry out monetary policy, and is the primary investment held by the State and local governments.

Given its unique importance to the well-being of our Nation's economy, many may be surprised to learn that the Government securities market has largely been exempted from the Federal securities laws.

The Subcommittee on Telecommunications and Finance of the Committee on Energy and Commerce began its investigation into the regulation of the Government securities market in September of 1990, when the gentleman from Tennessee [Mr. COOPER] and I asked that the SEC undertake a study of the reauthorization of the Government Securities Act of 1986.

This investigation led to a May 1991 subcommittee hearing on sales practices and their abuses in the Government securities market. The following month the subcommittee initiated inquiries with the SEC, with Treasury, and the Fed regarding reports of persistent short squeezes in recently issued Treasury securities.

By August 1991, the Salomon Brothers scandal dramatically underscored the need for Government securities market reform. The Salomon revelations provided the first public evidence connecting the report of manipulative short squeezes in the Treasury securities market to wrongdoing by a specific Government securities dealer. It triggered industry-wide probes by the SEC and the Department of Justice into fraudulent and manipulative activities in the Government securities market.

By January 1992, these allegations resulted in 98 securities firms and bank dealers being found culpable for security law violations involving inflated customer order information in conjunction with sales of Government agency securities and maintaining false books and records.

In June 1992, the SEC and the Justice Department reached a settlement with Salomon Brothers. The firm agreed to pay a total of $290 million in fines for submitting 10 false bids totaling $15.5 billion in nine Treasury auctions, failing to supervise its employees, maintaining false books and records, and failing to disclose material information.

In addition, the Justice Department found that Salomon's actions were part of a conspiracy to manipulate prices following the May 1992 Treasury auction of 2-year Treasury notes.

SEC and Justice Department investigations into wrongdoing by former Salomon Brothers officers and employees are continuing, along with SEC investigations into noncompetitive bidding abuses, possible short squeezes in connection with other recent Treasury auctions, and pre-auction conduct by Government securities dealers.

The subcommittee and full committee's investigation into the Salomon scandal revealed that the Treasury Department and the Federal Reserve largely turned a blind eye to the potential for wrongdoing in the Government securities market.

At the same time, the committee found that the Securities and Exchange Commission, which is supposed to be the Nation's cop on the beat, lacked many of the tools it needed in order to detect and to deter and bring wrongdoers to justice.

This bill rectifies that situation by reemphasizing the applicability of the basic antifraud provisions of the Federal securities laws through bids of purchasers of Government securities, extending the SEC's authority to prescribe specific antifraud and antimanipulation rules for the Government securities market, requiring Government securities brokers and dealers to develop internal controls aimed at preventing fraud, manipulation, and other wrongdoing, providing regulators with an early warning of potential problems by requiring reports of large concentrations of positions in the Treasury market, and ensuring that Government securities brokers and dealers maintain transaction records adequate to allow the SEC to carry out its surveillance, so it can track down the wrongdoers, so it can prevent the wrongdoing from occurring in the first instance.

This enables the marketplace to work more effectively, more honestly. The SEC is empowered to be the cop on the beat. It wants that job. These other agencies basically do not think of themselves as cops on the beat.

The Committee on Energy and Commerce, working through the chairman, the gentleman from Michigan [Mr. DINGELL], and the minority, working with the Committee on Ways and Means, led

by the gentleman from Illinois [Mr. ROSTENKOWSKI] and the gentleman from Texas [Mr. PICKLE], have been able to work out an agreement with regard to how this marketplace should be monitored in the future.

We have presented to the House floor this afternoon the final results of our negotiations between our committees. We think it represents a solution to a problem which is now past its first anniversary, and we think with its passage we will be able to say to the investing public in our country that we have protected those investors and the public from wrongdoing.

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

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

Mr. Speaker, I think we have all learned and continue to learn from the very expensive savings and loan crisis that banking regulators need to have full authority to regulate all activities of the insured depository institutions within their jurisdiction. The Garn-St Germain Act of 1982 hobbled the ability of the thrift regulators to regulate all activities of savings and loans, and was partly responsible for the savings and loan crisis. We have corrected that problem with the passage of comprehensive regulatory reform.

Last year's banking bill gave the bank regulators broad regulatory authority over insured depository institutions in order to preserve the safety and soundness of the industry and protect the deposit insurance funds. And under current law, each insured depository institution is under the supervision of one primary Federal banking regulator. Each primary bank regulator has the power to regulate all activities of the insured depository institutions within their jurisdiction. This is the most efficient way to protect the deposit insurance funds: One regulator, a banking regulator, for each insured depository institution, and for all its activities.

Now the Energy and Commerce Committee comes along, and under suspension, suspension, tries to slip through what I would define as the "Salomon Bros. defense and protection act," and all of those similarly situated as Salomon Bros., and it acts as if the agency that they have direct responsibility over did something about the Salomon Bros. scandal, and they act as if, after a rigorous investigation by whom, this committee that has jurisdiction, prime jurisdiction, exclusive jurisdiction; no, the SEC and the Justice Department.

What happened? Salomon Bros. robbed the Treasury of the United States out of close to $2 billion. How much did we get back from them? About $200 million.

I ask the gentleman that is passing this exercise today as an answer to the prevention of the repetition, how and wherein this bill attempted to be sneaked through without much debate, and without the sequential referrals, referrals demanded with the Committee on Banking, Finance and Urban Affairs? Why?

Now this Committee on Energy and Commerce comes forth and it wants to establish the SEC, the Securities and Exchange Commission, I would say to the gentleman from New Jersey [Mr. RINALDO], as the primary regulator of banks in this respect, notwithstanding the fact that unlike the securities concerns, these banks are involved in insured deposits that ultimately must be accounted for by the taxpayers, as the Members are finding out, and will continue to find out in the immediate future.

□ 1600

This is preposterous—it opens a yawning chasm in bank regulation, by splitting responsibilty in a vital area—Government securities trading. This bill expands the reach of the SEC, but severely limits the power of those who must regulate banks.

The banking regulators have the accumulated expertise in banking regulation, not the SEC.

If the SEC had been on top of this, why did it not expose, before the taxpayer was robbed, such entities as a Salomon Bros.?

The banking regulators have the access to examination, enforcement, and other confidential data that is needed to preserve the safety and soundness of the banking industry.

This bill also runs contrary to over 50 years of well reasoned statutory separations between the regulation of banks and the regulation of securities firms. These separations are reflected in the Securities Act of 1933, the Securities Exchange Act of 1934, the Glass-Steagall Act, and more recently the Government Securities Act of 1986, to which the gentleman referred to before.

The Government Securities Act of 1986 gave the Department of the Treasury the responsibility for developing rules with respect to transactions in Government securities, and left the implementation and enforcement of those rules to banking regulators in the case of banks, and the SEC in the case of securities firms. This has worked very well. But the Energy and Commerce Committee does not like that framework because the Treasury Department is not within its jurisdiction. So it decides to toss 50 years of consistent regulation out the window and have the SEC—which it does have jurisdiction over—regulate the Government securities activities of banks.

This is nothing more than another insatiable grab for jurisdiction by this power hungry, insatiable committee known as the Energy and Commerce Committee. A vote for this bill could turn out to be a vote for another taxpayer bailout. If for no other reason than this, the bill must be defeated.

We cannot sit here and allow this legislation solely and exclusively intended to protect the Salomon Brothers and their ilk into the future after having been allowed to get away with stealing a mere $2 billion from the taxpayers' pockets; to wit: the U.S. Treasury.

I urge my fellow Members to reject this senseless, badly written, ill-intended legislation.

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

The SPEAKER pro tempore (Mr. MURTHA). The gentleman from Texas [Mr. GONZALEZ] has consumed 7 minutes. The gentleman from Massachusetts [Mr. MARKEY] has 4 minutes remaining.

Mr. MARKEY. Mr. Speaker, I yield 3 minutes to the gentleman from New Jersey [Mr. RINALDO], the ranking member of the committee.

Mr. RINALDO. Mr. Speaker, I rise in support of the amendments to the Government Securities Act.

Public confidence in the integrity of the market for U.S. Government securities is essential. Without the support of the investing public it would be impossible for the Federal Government to sell its securities at the lowest possible interest cost. To help preserve that confidence and support, Congress enacted the Government Securities Act of 1986 and brought registration, record keeping, capital adequacy, financial reporting, and audit requirements to the previously unregulated market.

In 1986, Congress made the Department of the Treasury the principal regulator of the Government securities market. The Department's knowledge of the intricacies of this market, and its responsibility for managing the public debt, made Treasury the logical choice at that time. It continues to be so and this legislation does not change the status of the Department.

Our committee reviewed the overall success of the 1986 act, and examined those areas in which improvement could be made. For the most part, we believe that only refinement, and not radical restructuring, of the regulation of this market is appropriate. The legislation before us today is designed not to disturb the functioning and integrated regulatory system currently in operation.

The market for Treasury, Federal agency, and Government-sponsored mortgage backed securities is enormous. In 1990, an average of over $118 billion of U.S. Treasury securities traded daily among the primary dealers alone. Every Member of this body understands that whatever new regulations are imposed in this area, they must not inadvertently damage the market. Such damage would make it harder for Treasury to sell its securities, and the higher interest rates it would have to pay translate into bigger deficits and higher taxes.

The legislation before us today was carefully shaped by the Energy and Commerce Committee and its Subcommittee on Telecommunications and Finance with the help and constructive criticism of the Department of the Treasury, the Federal Reserve Board, the Securities and Exchange Commission, and the securities industry. Throughout the deliberation process, carefully focused solutions to specific problems have been developed. The result of our collective and cooperative effort is that the regulators and the regulated both agree that the bill before us will foster improvements in market operations, market efficiencies, and investor protection without disruption of these vitally important securities markets.

Mr. Speaker, originally there were a number of areas of conflict in the bill. A provision of the bill requiring dealer internal procedures to ensure compliance with the Government Securities Act was saved with careful redrafting. A second problem arose concerning dealer reporting of large positions in Government securities. this too remains in the final legislation as the result of careful redrafting.

The most troublesome questions we dealt with concerned regulations to ensure the transparency of the marketplace. During our deliberations in the subcommittee, we heard testimony about rapidly developing private sector initiatives providing information about the Government securities market on a profitable basis and for fees that industry participants were willing to pay. These commercial systems operate with their own capital at risk and in a highly competitive field. Our examination of this issue showed us that the status quo in market transparency, (that is, a rapidly envolving environment in which commercial vendors are competing against each other to provide better information, faster and cheaper) is, for the most part, acceptable.

We also saw that the status quo is not static. New systems are being developed along corporate timetables that meet the demands of the marketplace and the need of the business entrepreneurs for an acceptable rate of return on the capital they invest and put at risk. Because the system seems to be functioning well, this legislation wisely defers to the private sector initiatives, and places the Government in a backup role, in which it will intervene in the markets only in the most severe situations and circumstances.

Mr. Speaker, I want to commend my good friend, Chairman JOHN DINGELL, for his leadership on this issue, as well as Chairman EDWARD MARKEY, for his great efforts in guiding the development of this legislation. I would also like to recognize the always valuable contributions of my good friend from New York, Congressman NORMAN LENT, the ranking Republican on the committee. Once again, our committee has been able to function in a bipartisan manner that works in the best interests of the people of this country, and I urge the adoption of the legislation.

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

Mr. Speaker, I rise today in strong support of H.R. 1699, the Government Securities Reform Act of 1992. It is very important legislation.

Let me review for the Members of this body some of the steps we have taken. Over a year ago it became apparent there were some violations in the Government securities market. Our subcommittee became concerned about these attempts to manipulate the market and held hearings. It was obvious that Salomon Bros., one of the largest brokerage houses in the country, had violated Treasury Department rules governing the issuance of various Federal debt obligations. These repeated violations involved the purchase and sale of tens of billions of dollars of Government securities in an attempt to corner and to squeeze the market in certain issues of Treasury debt.

The Subcommittee on Oversight held hearings in September 1991, and again in February 1992. On March 12, on a bipartisan basis, our Oversight Subcommittee reported recommendations to the full Ways and Means Committee. On June 24, 1992, the committee passed out a measure that attempted to correct some of these violations. This measure is now title II of the amendment before us. These facts are not in controversy. Salomon Bros. has admitted to the wrongdoing, and we have reacted properly.

These are the steps from my committee which we have taken in this bill that are helpful, and let me note them for the Members.

First, title II of the amendment to this bill would make it an explicit violation of Federal law to knowingly or willfully make any false or misleading written statement in connection with the issuance of any public debt obligation. Such violation would be subject to criminal and civil penalties. The civil penalties could potentially amount to millions of dollars, as much as three times the amount of money that is alleged to have been gained through the violation. The criminal penalties would treat these violations as a felony. This provision reflects the intent of the committee that such violations in the Government securities law would be subject to the same standards that are now applied to other securities under the antifraud and the antimanipulation provisions of the Securities and Exchange Act.

Second, title II of this amendment would require the Secretary of the Treasury to make an annual report to the Committee on Ways and Means and the Senate Finance Committee on the Treasury's public debt activities and the operation of the Federal Financing Bank. For the first time it makes them give us a study to show completely what is the status of our public debt, and that is something we all should be much, much more concerned about.

□ 1610

And third, the Secretary of the Treasury would be required to study and report to Congress on reforms to the current system of issuing public debt obligations and the impact of recent legislative and administrative changes on the primary market for such obligations. This report from the Treasury is supposed to be given to the Congress by January 1, 1993.

These are three strong corrective provisions that say we are not going to allow the securities market to go unchecked and unregulated.

If there are violations, we will have strong laws to penalize them for it. This is very much needed. This is important legislation.

Mr. Speaker, these provisions were put in the law, and they have been added to this measure on a bipartisan basis. The Committee on Energy and Commerce and, I think, the Committee on Banking, Finance and Urban Affairs are in full favor of these kinds of provisions. The controversy we have today did not apply to these kinds of regulations. Perhaps some of them might have wanted to go further. But this is a clear pronunciation that it is going to be against the law to try to squeeze the market. We have one of the biggest financial houses in the United States which violated the law in purchasing billions of dollars in bonds and obligations which they had no market for, and which they were just cornering to sell them at a higher price. That is admitted; that is a fact. This corrects it.

Therefore, this bill should be advanced. Whether you want to put something more into it is another proposition. But the fact is this is very important. I think this bill should be advanced.

Mr. Speaker, I rise today in strong support of the amendments to S. 1699, the Government Securities Reform Act of 1992. This legislation represents an important and appropriate legislative response to the misconduct which occurred last year in the primary market for Federal Government securities.

Just over 1 year ago the Congress and the public were shocked to learn that employees at the highest levels of Salomon Brothers, one of our country's largest brokerage houses, had violated Treasury Department rules governing the issuance of Government securities. These repeated violations involved the sale of tens of billions in Government securities in an attempt to corner and squeeze the market in certain issues of Treasury debt. Such actions, left unpunished, would undermine the integrity of the entire Government securities market and threaten the issuance of the bonded debt of the United States.

After hearing these shocking allegations of misconduct in the Government securities market, the Oversight Subcommittee of the Committee on Ways and Means has worked diligently to ensure that the Government securities market continues to operate fairly and efficiently. The subcommittee held hearings on September 26, 1991, to receive testimony from Salomon Brothers, the administration, and other concerned market participants. The subcommittee's investigation revealed significant shortcomings in the manner in which Treasury securities were marketed.

Acceding to the requests of the administration, the subcommittee withheld taking legislative action at that time. On February 3, 1992, the subcommittee held additional hearings to review the administrative and legislative recommendations of the administration. On March 12, 1992, on a bipartisan basis, the subcommittee issued a report to the full Committee on Ways and Means containing several recommendations for reforming the Government securities market.

After earlier voting to approve this report, the committee marked up and approved the legislative provisions that are contained in title II of the amendments now before the House of Representatives.

Title II of the amendments to S. 1699 would make it an explicit violation of Federal law to knowingly or willfully make any false or misleading written statement in connection with the issuance of any public debt obligation. Such violations would be subject to criminal and civil penalties. This provision reflects the intent of the committee that such violations in the Government securities market should be subject to the same standard that is now applied to other securities under the antifraud and antimanipulation provisions of the Securities and Exchange Act.

Title II of these amendments would also require the Secretary of the Treasury to make an annual report to the Committee on Ways and Means and the Senate Finance Committee on the Treasury's public debt activities and the operations of the Federal Financing Bank.

In addition, the Secretary of the Treasury would be required to study and report to Congress on reforms to the current system for issuing public debt obligations, and the impact of recent legislative and administrative changes on the primary market for such obligations. This report would be due on January 1, 1993.

Mr. Speaker, these reforms which have been developed on a bipartisan basis, and which have been supported by the administration, represent a measured and meaningful response to the market manipulations uncovered last year. This legislation reflects the work and concerns not only of the members of the Committee on Ways and Means, but of those who serve on the Committee on Energy and Commerce and the Committee on Banking and Urban Affairs. I know that some Members would favor enacting additional reforms now. I understand their concerns, but I think it is best to act without further delay on those primary market reforms for which a consensus has already been reached over the course of the past year. Further, I believe that the information provided to the Congress in the two studies required by these amendments will provide the basis for future consideration of additional reforms to the Government securities market. I look forward to continuing to work cooperatively with all my colleagues in our mutual efforts to ensure the fair and efficient operation of all aspects of the Government securities market.

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

The SPEAKER pro tempore (Mr. MURTHA). The gentleman from Texas [Mr. PICKLE] has consumed 4 minutes.

Mr. GONZALEZ. Mr. Speaker, I yield 5 minutes to the distinguished minority ranking member of the Committee on Banking, Finance and Urban Affairs, the gentleman from Ohio [Mr. WYLIE].

Mr. WYLIE. Mr. Speaker, I rise in opposition to the bill before us. While I can and do support many of the substantive issues of this bill, this is my way of registering my opposition to the procedure which brought this bill to the House floor today. I will speak to some of the substantive issues a little later today and why I object to them, but putting S. 1699 on the suspension calendar without at least consulting the Banking Committee is an obvious attempt to circumvent the jurisdiction of the Banking Committee and denies those of us interested in this legislation the opportunity to offer perfecting amendments to the bill. This is not a good precedent.

The Dingell substitute is essentially H.R. 3927, legislation that was sequentially referred to the Banking Committee. Acting within our referral, the Committee on Banking, at the behest of Chairman GONZALEZ, promptly marked up H.R. 3927 and reported it to the House. In the course of the Banking Committee markup, amendments within the Banking Committee's jurisdiction were offered and agreed to. One of the amendments adopted by the committee was an amendment which I offered which gives Federal banking regulators rulemaking authority over banks engaged in the sale of Government securities. My amendment requires banking regulators to enact substantially similar regulations to those formulated by the SEC for brokers and dealers. My amendment stays within the spirit of the Energy and Commerce bill, but recognizes the important differences between banks and securities firms. These regulatory differences have long been recognized in statute. My amendment is clearly germane to the bill and clearly within the jurisdiction of the Banking Committee.

In contrast, the Dingell substitute grants rulemaking authority over banks to the SEC. This violates years of legislative precedent and represents a huge jurisdictional grab by the SEC and the Energy and Commerce Committee.

Frankly, I am at a loss to understand why, after weeks of apparent cooperation among the relevant committees, the Democratic leadership has now seen fit or felt it necessary to participate in this end run around jurisdiction of the Banking Committee. After being given a sequential referral and acting within the allotted time, why is the Banking Committee being denied the opportunity to offer amendments on which the House should work its will?

This precedent, in my judgment, makes a mockery of the committee process. This is not a noncontroversial bill. The question before the House today is: Will we vote this bill down and uphold the legitimate committee process, a process that protects us all?

Now, besides the jurisdictional problem and the method by which this bill is brought to the floor, there are some problems with the Dingell substitute itself. The Treasury, the Fed, and the securities industry are concerned that some of the changes that this legislation proposes are unnecessary in light of recent Treasury reforms and that others are unduly burdensome.

I have just received a statement of administration policy on the Dingell substitute. The administration says it strongly objects to Energy and Commerce's transparency provisions and the new recordkeeping authority granted to the SEC. OMB fears that the Dingell transparency provisions may impede the development of market-based initiatives. The market is already the most efficient in the world, trading on spreads of less than one thirty-second of a basis point. The bill also raises the question whether the Government can better determine what information is best for the investors than the market itself.

Furthermore, OMB fears that the new recordkeeping authority would largely duplicate the Treasury's existing authority under the Government Securities Act.

In addition, the statement of administration policy concludes that the Dingell substitute would: "grant unwarranted and potentially harmful new regulatory authority. It would risk impairing the efficiency and liquidity of Government securities markets and raising the taxpayers' cost of financing the public debt." Again, just a 1-basis-point increase in funding translates into an additional $300 million a year for the taxpayer. We should be very careful of tampering with a market that has worked. Regulators and industry have voiced serious concerns.

Now, much has been said about the Treasury auction scandal. However, it is important to note that regulators did uncover the problems, that they have begun prosecuting the wrongdoers, and that they have instituted important reforms.

Several of Salomon Brothers' top executives, including its CEO, have resigned. Mr. Speaker, I would suggest that if the system is not broken, do not try to fix it. I am worried that is what we are doing here.

But putting aside the substantive issues, we must protect the legitimate committee process. We must maintain the jurisdiction of the Banking Committee.

Mr. PICKLE. Mr. Speaker, I yield myself 2 minutes.

Mr. Speaker, there are still some unsettled questions in this whole controversy. I think all three committees recognize it.

On May 28 our committee wrote the Honorable James Powell, Assistant Secretary for Domestic Finance for the Treasury Department. We raised certain questions. I do not think it is inappropriate to point out some of the questions we raised in May and for which we have not received an answer.

These are some of the questions that are being asked. For instance, how was the $290 million settlement arrived at? Has anyone been put in jail because of these violations? Has anyone even been indicted for these violations? How much, if any, of the $290 million settlement will be tax deductible by the Salomon Brothers? Did the Federal investigators find any evidence that Salomon Brothers manipulated the Government securities market in order to benefit in the foreign exchange markets? And why did the Salomon Brothers, why were they suspended from doing business with the Federal Reserve Bank in New York for only 2 months?

These are serious questions. We have asked those of the Treasury and have not gotten that information. At the same time, what we have done in this bill is we have specifically made it against the law to make these violations in the securities market. We cannot leave that loop open—this legislation closes it. The other committee may want to do more, and I can understand that. But there is no controversy that this should be done. If we do not do it, then it seems to me like we are just giving a free ride to market violators because of our inaction.

I regret that there are jurisdictional differences here. At the same time, this bill does make specific corrections that are badly needed. Nobody disagrees with that. It just did not go as far as one committee did.

These questions should be answered, Mr. Speaker, and action taken now. If we do not act, then we leave the public confused and unprotected.

Mr. GONZALEZ. Mr. Speaker, may I inquire as to exactly how much time I have?

The SPEAKER pro tempore. (Mr. SKAGGS). The gentleman from Texas [Mr. GONZALEZ] has 8 minutes remaining.

Mr. GONZALEZ. Mr. Speaker, I wonder if I could ask the gentleman from Texas [Mr. PICKLE] to yield for a question with respect to time? Will I be recognized for that purpose?

The SPEAKER pro tempore. The Chair is uncertain as to what the gentleman is requesting.

Mr. GONZALEZ. Did the gentleman object?

Mr. PICKLE. I do not object to a question, Mr. Speaker.

Mr. GONZALEZ. What I was going to ask, since the gentleman raised the issue of the possibility of some very substantive reasons why, beyond the jurisdictional questions, we should do more, Mr. Speaker, I do not know how much time the gentleman has left, but would he yield 2 minutes to us because we have more speakers than we have time.

Mr. PICKLE. Mr. Speaker, I do not want to interrupt the gentleman, I am willing to try to respond, but I want the question to be on his time, not my time.

Mr. GONZALEZ. That was not my understanding. That is why I asked consent, whether it was on my time?

The SPEAKER pro tempore. The Chair is not charging any member with time at the moment.

The gentleman from Texas [Mr. PICKLE] has 4 minutes remaining, and the gentleman from Texas [Mr. GONZALEZ] has 8 minutes remaining.

□ 1620

Mr. GONZALEZ. Mr. Speaker, will the gentleman yield us 2 minutes to accommodate other Members here?

Mr. PICKLE. I have already yielded time of mine to other members of the committee. If I take this time in colloquy with the gentleman from Texas, I will not have any time left.

Mr. GONZALEZ. Mr. Speaker, does the gentleman mean that he yielded to the Ways and Means Committee?

Mr. PICKLE. No, no.

Mr. GONZALEZ. The gentleman has taken time from the Ways and Means Committee.

Mr. Speaker, I yield 1 minute to the distinguished gentlewoman from Ohio [Ms. OAKAR], one of the top-flight committee members.

Ms. OAKAR. Mr. Speaker, I rise in opposition to the bill, because since the enactment of Glass-Steagall in 1933, the permissible activities of banks in the area of Government securities have been regulated by bank regulatory agencies, not by the SEC.

To bring this bill up under Suspension when you are in changing wholesale that regulation is wrong. It should be debated and we ought to have a full debate on it.

Another issue is the substantive issue. Under S. 1699 for the first time we would be adding the SEC as an additional regulator of banks. This would be the bank's most dramatic regulatory burden since the 1930's.

S. 1699 may also adversely affect the ability of the bank regulators to oversee what they should be doing, all—underline all—of the bank's activities.

So I hope we defeat the bill and go into what should be a fair and equal jurisdictional issue.

Mr. PICKLE. Mr. Speaker, I yield my remaining 4 minutes to the gentleman from Massachusetts [Mr. MARKEY].

Mr. MARKEY. Mr. Speaker, I reserve the balance of our time so that I can yield the time to our concluding speaker.

Mr. GONZALEZ. Mr. Speaker, I yield 1 minute to the gentleman from Minnesota [Mr. VENTO], a member of the Committee on Banking, Finance and Urban Affairs.

Mr. VENTO. Mr. Speaker, I rise in opposition to this amendment.

I realize a lot of work has been done on the part of oversight by the committees of the House. It is regrettable that we come here today to oppose the bill because I think that the bill is fundamentally flawed. It is flawed in the sense that it sets up a contradiction among the various regulators that we have that are responsible for banking, responsible for investment banking types of activities.

My colleagues argue for consistency, but frankly what we are asking for is holistic regulation of banks. We have insurance funds. We have serious problems in terms of the banks. We are asking that we not continue this pattern of cutting the bank regulatory system up into bits and pieces, as this bill proposes to do.

To give a separate function to the SEC with regard to Government securities is simply not necessary. It is not justified based on what is going on.

I mean, I hardly would hold the SEC up as an institution that has never had any problems with regard to regulation. When we look at the stocks and other activities they have been engaged in, there are plenty of problems there.

I hope that we defeat this bill and provide a holistic regulation so that we have the insurance fund and the other programs safeguarded from this type of multijurisdiction regulation that is put in place by this bill, S. 1699.

Mr. Speaker, I rise in opposition to S. 1699 the Government Securities Reform Act of 1992. The legislation attempts to make improvements in the regulation of Government securities, but is inadequate to the task.

Importantly, the legislation does not incorporate key elements, as adopted by the Committee on Banking, Housing, and Urban Affairs. Such amendments would have preserved, the separation of banking regulation and securities regulation and this measure before the House, S. 1699, undermines the authority of bank regulators without the necessary key Banking Committee amendments.

I urge my colleagues to reject the approach advocated in this bill. By superimposing the SEC into the regulation of banks, we will be blurring the lines of responsibility and accountability. There is nothing that will please the regulators more than laying the blame

at the doorstep of some other regulator, when there is a bank failure—passing the buck back and forth will not solve the problems with Government securities. And while this blame game goes on, we in Congress will no doubt be held responsible.

We should not be dispersing regulatory authority or accountability. Instead we should preserve what works today, the existing workable framework. The bank regulators are responsible for the safety and soundness of the banking system and the deposit insurance fund. That system should remain intact, rather than fractured between different regulators. Rather than regulate by activity or function, having two different regulators for financial institutions, the present system is holistic, examination of different activities by a single regulator who we can hold accountable. This Senate measure confuses the issue and the task. In the name of conformity and uniformity it cuts a financial institution into bits and pieces. The rule can be the same, even if the regulators—specialists dealing with the commercial or investment banking Government securities sales, are not the SEC.

This topic and reforms incorporated in this legislation are important and Government securities reform is much needed, but the problems affecting financial institutions cannot be dismissed or glossed over. This legislation takes a step backward from the hard-fought reforms that the Congress has written into law. There is no sound purpose served by the provisions of S. 1699 that could not and should not be addressed in the existing bank regulatory framework. Different accounting and reporting requirements, and confusion not conformity will prevail.

I urge the defeat of S. 1699 and recommend that we consider a bill that incorporates the safeguards adopted by the Banking Committee.

Mr. GONZALEZ. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from New York [Mr. SCHUMER].

Mr. SCHUMER. Mr. Speaker, I rise in strong opposition to this bill.

As was stated before by the gentleman from Ohio [Mr. WYLIE], the Treasury Department and the administration are opposed to this bill. When the Treasury Department is opposed and people like the gentleman from Texas [Mr. GONZALEZ], the gentleman from Massachusetts [Mr. FRANK], the gentleman from New York [Mr. SCHUMER], and the gentleman from Minnesota [Mr. VENTO] are opposed, you know something is the matter with it, and there is plenty the matter with this bill both from a jurisdictional basis and a substantive basis.

On a jurisdictional basis, we have had irregular order here. The Committee on Energy and Commerce marked up a bill. The Committee on Banking, Finance and Urban Affairs was given sequential referral. It made changes, and somehow because those changes were not to the liking of the other committee, we now have a bill on suspension that rolls over every other committee's jurisdiction.

I ask every one of you on your committees to think, if there were times when you did not like what was done by another committee and they just rolled over you and put a bill on the floor under suspension, how would you react?

My colleagues, this would set an awful precedent. We may as well get rid of the whole rule on sequential jurisdiction if we go ahead and pass this suspension.

But far more important than the jurisdictional fight is the substantive argument. For 50 years, we have regulated Government securities in a different way and for a good set of reasons. Government securities are not two-penny stocks or anything like that.

This was true in the act of 1993 and 1934 in Glass-Steagall and as late as 1986.

Are we going to change all of that now without even a major debate on the floor? That makes no sense.

I think this body should have learned its lesson during the S&L crisis. Where we make quick changes without debating, without exploring, trouble occurs.

So I say to my colleagues, yes, there must be changes made. The scandal was a bad one. Although I did not see the Committee on Energy and Commerce willing to relinquish jurisdiction after the Milken scandals because the SEC had not done the job, they instead went ahead and diligently worked to fix it. That is what we should be doing here, not rushing something through that does not make any sense from either a jurisdictional or a substantive point of view.

Mr. GONZALEZ. Mr. Speaker, I yield 1 minute to the distinguished gentleman from Massachusetts [Mr. FRANK].

Mr. FRANK of Massachusetts. Mr. Speaker, I hope the bill is defeated at this point. It is simply inappropriate and not helpful for this process to proceed this way. There are other irreconcilable conflicts that will arise inevitably without our creating them when there is no necessity to have them created.

There was here a sequential referral. The committees had somewhat differing approaches. The committees have talked about different levels of regulation, different regulators being involved.

Unilaterally to break off those conversations in this way I think ill serves the process.

I think my friends on the Committee on Energy and Commerce are making a mistake. This is simply an unnecessary division they are introducing into the body. We will have enough differences where ideology, where partisanship, where region will inevitably divide us.

To respond in so unparliamentary a fashion to an area of sure jurisdiction is in error.

I believe it is the interests of the civility and good functioning of the House for the membership to say at this point, no; work this out. There is a better way to do it.

Mr. MARKEY. Mr. Speaker, if the gentleman from Texas will permit, another member of his committee has arrived who would like to be recognized before our concluding speaker, if that is acceptable to him.

Mr. Speaker, I yield 1 minute to the gentleman from Alabama [Mr. HARRIS].

Mr. HARRIS. Mr. Speaker, I thank the chairman for yielding me this time.

Mr. Speaker, I rise today to express my support for Senate bill 1699, the Government Securities Reform Act. The Government securities market is the mechanism that the Federal Government uses to finance our multitrillion dollar debt. The efficient operation of this market is essential to the economic well-being of this Nation.

The scandals at Salomon Brothers and in the GSE markets seriously undermined investors' confidence in the Government securities markets. Clearly, new reporting and enforcement procedures are warranted following the revelations of the systematic abuses of the present auction and bid methods.

Senate bill 1699 both renews the Treasury Department's authority to regulate this market as well as extending the oversight and enforcement authority of the Securities and Exchange Commission in this area.

Chairman DINGELL, Chairman MARKEY, Chairman ROSTENKOWSKI, Chairman PICKLE, Congressmen LENT, ARCHER, SCHULZE, and RINALDO, and their staffs should be commended for their efforts to uncover fraud and abuse, and for their diligent work to give the regulatory agencies the tools that they need to ensure the continued viability of the Government securities market.

I urge my colleagues to vote in favor of this Senate 1699.

□ 1630

Mr. GONZALEZ. Mr. Speaker, I yield 1½ minutes to the gentleman from Kentucky [Mr. HUBBARD].

Mr. HUBBARD. Mr. Speaker, the amendment in the nature of a substitute which the Committee on Energy and Commerce will offer to S. 1699 is an obvious attempt to transfer an enormous amount of the House Banking Committee's jurisdiction to the Committee on Energy and Commerce.

The regulation of banks' functions needs to be done by one regulator, a regulator with expertise. Today the bank regulators have full responsibility. Under the Energy and Commerce

amendments, the Securities and Exchange Commission [SEC] becomes an additional bank regulator. Confusion is certain; ineffective regulation almost as sure.

And why? So the Energy and Commerce Committee can have more jurisdiction? So the SEC can gain jurisdiction over banks?

It was entities under the SEC's jurisdiction that caused the Salomon Brothers scandal, not banks.

These amendments may be duplicative, the result may be confusing and inefficient, but one thing is for sure, this will not be functional.

This attempt to usurp the Banking Committee's jurisdiction has been orchestrated without my knowledge or that of any other member of the Banking Committee. Our committee staff was not invited to, and was kept unaware of, any meetings held between the Committees on Energy and Commerce and Ways and Means during the month of August.

Prior to the recess, our staff was continually meeting with those two committees to resolve our substantive and jurisdictional differences on H.R 3927. The Banking Committee staff was also led to believe that those discussions would continue after the recess.

Now, however, the questionable drive of the Energy and Commerce Committee for jurisdictional expansion has resulted in a situation which jeopardizes the passage of a good bill and is instead only an attempt to use S. 1699 to usurp the longstanding jurisdiction of the Banking Committee.

Our Banking Committee stands ready to work with the other committees of the House to enact meaningful Government securities reforms in light of recent scandals. However, under the circumstances I have described, I am compelled to urge my colleagues to vote "no" tomorrow on S. 1699.

Mr. GONZALEZ. Mr. Speaker, I yield 1 minute to the distinguished gentlewoman from South Carolina [Mrs. PATTERSON].

Mrs. PATTERSON. Mr. Speaker, I sat here today and listened to some important debate, debate I believe the taxpayers of America deserve to hear more about; 1699 is an important piece of legislation, a piece of legislation that we need to hear from all sides, because this legislation affects the safety and soundness of financial institutions in this great country of ours.

Mr. Speaker, I would urge my colleagues today to listen to this debate and realize that we need more discussion before voting. I regret that a bill of this magnitude and importance to the taxpayers of this country is being brought up under suspension. I will vote against this bill for that reason.

Please give us the opportunity for full debate in all committees of jurisdiction.

Mr. Speaker, the purpose of this legislation is to prevent fraud and manipulation of the securities market, and to promote confidence in our markets. The public needs to know that transactions in Government securities are on the up and up.

This bill, however, goes well beyond these purposes. S. 1699 grants the SEC new power over commercial banks.

Financial institution regulators, the bank regulators, are responsible for the safety and soundness of the deposit insurance funds. That is their paramount concern. When rules and regulations regarding these banks are handed out, those writing those rules and regulations need to keep that in mind: The safety and soundness of the deposit insurance funds. The banking regulators do that, not the SEC.

When the Banking Committee considered this bill, we added language to make sure that the banking regulators maintained that authority. That language has been omitted in this version.

For these reasons, I object to this bill being considered under suspension of the rules.

Mr. GONZALEZ. Mr. Speaker, I yield 1½ minutes, for the purpose of closing, to the gentleman from Idaho [Mr. LAROCCO], one of our real up and coming freshman Members of the Committee on Banking, Finance and Urban Affairs.

Mr. LAROCCO. Mr. Speaker, I rise in opposition to Senate bill 1699. This bill does not belong on suspension—at least not yet.

The Banking Committee has been working with the Ways and Means Committee and the Energy and Commerce Committee to reconcile differences between their version of a Government Securities Reform Act and ours. Instead of continuing this process, we are asked today to suspend the rules and pass H.R. 3927, the Energy and Commerce Committee version, as a substitute for Senate bill 1699.

Whether or not the SEC regulates bank activities is an important issue. It is controversial. The Bank Committee has held hearings and markups on this legislation. We met the 2-week deadline for sequential consideration of H.R. 2927. Banking staff has continued to meet with staffs of the other relevant committees.

I believe we may yet be able to reach a consensus. If there are issues where we cannot reach agreement, let the House decide them by bringing the Government Securities Reform Act up under regular procedure so it can be amended as needed.

Do not allow this backdoor procedure to succeed.

Mr. MARKEY. Mr. Speaker, I yield the remaining 4 minutes to the chairman of the Committee on Energy and Commerce, the gentleman from Michigan [Mr. DINGELL]

Mr. DINGELL. Mr. Speaker, it is time for us to address the facts. There has been a great deal of misinformation presented to this body. The administration does not oppose this legislation. As a matter of fact, they have said:

> The Administration will work in conference to achieve an acceptable bill which ensures that the taxpayers get the most efficient and effective regulation and supervision of the government securities market.

Let me point out to my colleagues that it was requested that the Federal Reserve and other regulators take interest in this matter. Mr. Corrigan had this to say in testimony before us; he is the president of the Federal Reserve Bank of New York:

> I don't personally think it's necessary for us to get into the compliance and enforcement business. Nor do I even think it is desirable. That would be a different ball game.

The Salomon Bros. scandal happened 1 year ago. It happened on the watch of the Federal Reserve which is charged with supervision of the primary dealers in the Treasury auction. This is not bank regulatory legislation, despite what the Committee on Banking, Finance and Urban Affairs says. This is not a raid on banking jurisdiction. This is legislation which deals with securities.

Chairman GONZALEZ refers to the amendment in the nature of a substitute that the Committee on Ways and Means and Committee on Energy and Commerce offered to S. 1699, as an unprecedented attempt to transfer jurisdiction from one committee to another by making the SEC the direct regulator of insured depository institutions.

That statement is not accurate. Assignment of securities regulatory functions to the SEC is not unprecedented, does not undermine the authority of bank regulators, and is the only way to address comprehensively securities market abuses.

There are two statutory precedents now for SEC regulation. First in 1934, the Securities Exchange Act granted the SEC antifraud rulemaking authority applicable to all persons. Under that authority, the Commission has adopted rules applicable to banks.

Second, and more directly relevant, the Securities Acts Amendments of 1975, granted the SEC substantial authority over bank municipal securities dealers. For example, section 15B(a)(1) of the Exchange Act requires bank municipal securities dealers to register with the SEC. Banks have the option of registering the entire bank or a separately identifiable department or division. If registered as a separately identifiable department or division, the Commission's jurisdiction is limited to that registered department or division. Section 17 of the Exchange Act authorizes the Commission to establish recordkeeping and reporting requirements for bank municipal securities dealers and to examine the books and records of bank securities dealers. Section

15B(c)(2) of the Exchange Act authorizes the Commission to bring disciplinary actions against bank municipal securities dealers. In addition, the 1975 amendments included amendments to sections 15(c)(1) and 15(c)(2) extending those provisions to municipal securities transactions by all such municipal securities dealers, including banks. Those amendments parallel amendments contained in section 104 of the amendment to S. 1699.

And if my colleagues want another scandal, and another scandal, and another scandal in this area, support the position of the Committee on Banking, Finance and Urban Affairs because they are expert in scandals in the banking industry, and I would say to my colleagues, "Certainly, if you want a repetition of some of the things you saw with the savings and loans and on banks, then you have a splendid opportunity to encourage a repetition of those events by rejecting this legislation."

The Committee on Banking, Finance and Urban Affairs had some interesting comments on the legislation before the House today. Here is what they said:

> The substantive provisions of H.R. 3927, as reported by the Committee on Energy and Commerce, were recommended by one or more of the agencies which produced the Joint Report on the Government Securities Market. The [Banking] Committee also believes that those provisions represent sound public policy and supports their passage. Therefore, the [Banking] Committee elected to exercise its jurisdiction by retaining the substance of all provisions of the bill.

Now they wake in a remarkable ill humor. They want the House to reject the one opportunity we have during this session to clean up the Government securities market and to prevent a set of circumstances which created an intolerable situation.

What happened in the Salomon Bros. scandal? Quite honestly, the banking regulators did not do what they should. They did not regulate. It was, interestingly enough, an event which cost the Government a lot of money. It resulted in a fine of $290 million, but the events which occasioned this fine were as follows: false bids in the Treasury auction, fictitious tax trades, and numerous violations involving false books and records.

What does the bill do? It requires intelligent regulation by the SEC of all securities dealers. Some banks are securities dealers, and banks, when they sell securities, should be treated like any other security dealer, not given special privilege of the kind they got when the savings and loans all failed because the regulators did not require proper accounting, proper bookkeeping, proper recordkeeping, did not bother auditing and did not do other things.

This Congress is going to adjourn shortly. I would urge my colleagues to recognize that people are wondering about what we are going to do in the Congress to protect the American people against the kind of abuses which we saw bring on the Salomon scandal, which we saw in the savings and loan industry, which have cost this Nation $500 billion, one-half of our annual budget. We have here a chance to do something. The Committee on Banking, Finance and Urban Affairs has been consulted extensively. Long negotiations went on with that committee. They chose not to come to agreement. They chose not to do what should be done in terms of presenting legislation to the floor.

I urge my colleagues not to view this as a jurisdictional question. View it as an opportunity to correct an evil. View it as an opportunity to see to it that wrongdoers cannot and do not thrive in the Government securities market.

□ 1640

Support the bill, support the amendment, and let us get on with the Nation's business.

Mr. ROSTENKOWSKI. Mr. Speaker, I rise today in support of the amendments to S. 1699, the Government Securities Reform Act of 1992. The Committee on Ways and Means has spent a significant amount of time holding public hearings and investigating problems in the primary market for Federal Government securities. On April 1 of this year the committee approved a report of the Subcommittee on Oversight recommending reforms to prevent violations in the marketing of Government securities.

Further, on June 24 the committee held a markup and approved legislative provisions that constitute title II of the amendments now before the House. Mr. Speaker, the Committee on Ways and Means amendments to S. 1699, embodied in title II of the amendments before the House, represent the committee's efforts to ensure a lawful, efficient primary market for Federal Government securities and to enhance congressional oversight of that important market.

Title II of the pending amendments would make it an explicit violation of Federal law knowingly to make false or misleading written statements in connection with the primary issuance of any public debt obligation. Such violations would be subject to criminal and civil penalties.

In addition, title II of the amendments would require an annual report by the Secretary of the Treasury to the Committee on Ways and Means and the Committee on Finance of the Senate to assist the committees in their oversight of the Nation's debt management. This study would include data on the Treasury's public debt activities and the operations of the Federal financing bank, information on current and historical levels of public debt, holders of public debt, maturities of obligations constituting the debt, and costs associated with repaying the existing Federal debt. The first annual report would be due on June 1, 1993.

Further, title II of the amendments would require the Secretary of the Treasury to study potential improvements to the current system for offering bonded debt securities, and the impact on the primary market of recent administrative and legislative changes with respect to public debt markets. The report would be due on January 1, 1993.

Mr. Speaker, I want to thank Mr. ARCHER, the ranking member of the Committee on Ways and Means, who helped in a bipartisan manner to craft the Ways and Means amendments contained in title II of this legislation. Further, I wish to especially credit JAKE PICKLE, chairman of the oversight subcommittee, for his tireless efforts in bringing the management of the Federal debt to the attention of us all.

Mr. Speaker, S. 1699 will vastly increase the fairness and efficiency, and investor confidence in the Nation's system of selling and reselling Government securities. I urge support for this important measure.

Mr. ANNUNZIO. Mr. Speaker, I rise in opposition to S. 1699, as amended by the Energy and Commerce Committee. Not only is this bad legislation, but it should not be on the suspension calendar.

The amendment to the bill would, for the first time, authorize the Securities and Exchange Commission to regulate the Government securities activities of banks. This is a reversal of current law, in which the banking agencies regulate the securities activities of banks. Congress enacted that regulatory scheme to assure comprehensive regulation of banks. Fragmented regulation, with one agency in charge of some bank activities and another agency in charge of other activities, will weaken bank regulation. It increases the chances that banks could hide or disguise problems by dividing them up among different regulators. Keeping a single experienced bank regulator responsible for all of a bank's activities assures comprehensive and complete bank regulation. The House should not enact a reduction in effective bank regulation.

The Securities and Exchange Commission has no expertise in regulating banks. To make it a bank regulator would actually lessen effective bank regulation while it tries to gain the necessary expertise in an area in which it has no experience.

The House is forced to vote on this bad bill because it is being brought up under suspension rather than regular order. Had it come up under regular order, the Banking Committee, which has also reported out legislation regulating the Government securities activities of banks, could have its proposal considered by the House. That proposal contained important, but noncontroversial, provisions relating to the Government securities auction process. It was that process which was the subject of manipulation and scandal in 1990. Since the Banking Committee is not before the House today, those important reforms are not contained in the bill, and the House will not have an opportunity to consider them.

This bill damages the committee structure of the House. By having the Energy and Commerce Committee version of this bill on the suspension calendar, the House is denied the opportunity to consider the work of the Banking Committee, and precludes the Ways and Means Committee, to whom the bill was also referred, from considering it. The House is being denied the expertise of the these two major committees on this legislation.

Mr. Speaker, I urge the House to vote no on the motion to suspend the rules so this bill can be brought up under regular order.

Mr. LENT. Mr. Speaker, I rise in support of this legislation.

In response to the failures of a number of unregulated Government securities dealers between 1975 and 1985, Congress passed the Government Securities Act of 1986. That act established, for the first time, a Federal system for the regulation of the entire Government securities market, including previously unregulated brokers and dealers, in order to protect investors and to ensure the maintenance of fair, honest, and liquid markets.

At that time, the Department of the Treasury was instructed to adopt rules to prevent fraudulent and manipulative acts and practices. They did and their efforts have been successful. The rules have improved and strengthened investor safety in the market. The rules were timely and fairly implemented, and they have not imposed excessive and overly burdensome requirements. Most importantly they have not impaired the liquidity, efficiency, and the integrity of the Government securities market. The appreciation of the Congress for the disciplined and cautious manner in which Treasury enacted rules that overlay the market with a new regulatory structure is why the bill we consider today reauthorizes Treasury as the principal regulatory authority over the Government securities market.

In 1987, Treasury, the Federal Reserve, and the GAO agreed that interdealer brokers should make more information available because such information would make financial markets more efficient without any risk to market safety. Since that time, the firms in the communications industry have been building their own computerized systems to display this information. No Government mandates were necessary to get them started or to keep them competing. In light of the existence of these free-market-generated systems, is it necessary for Congress to mandate more disclosure of pricing and other information in the Government securities market? The answer is no, and the legislation before us today does not.

Personally I believe the time to debate the need for sales practice regulation has passed. The 1986 act did not give Treasury authority to enact sales practice rules, and it restricted the National Association of Securities Dealers from applying its already existing sales practice rules to its member Government securities dealers. Since securities exchanges and bank regulators are allowed to apply their rules, the NASD's inability to enforce sales practice rules against over 1,300 dealers creates a major gap in investor protection. Our committee has crafted legislation that eliminates the restriction and closes the gap.

Today, as in 1986, the legislative issue that is before Congress is not how we respond to any inadequacy of regulation that has been highlighted by a scandal. Instead we have examined the regulation of the Government securities market and attempted to fine tune it, determining where it can be improved.

As important as what this bill does, is what it does not do. It does not create a new standard of fraud under the Federal securities laws to be applied to Government securities transactions or dealers. It does not interfere with the stock exchanges enforcing their self-regulations on their members. It does not realign the relationships between the regulators of banks, the regulators of brokers and dealers, and the regulator of the auction of Treasury securities. Most importantly, this bill does not remove the incentives for private firms, both as traders and as the reporters of trading information, to continue to place their capital at risk and develop, expand, and innovate.

I urge all of my colleagues to vote in favor of the bill.

The SPEAKER pro tempore (Mr. SKAGGS). All time has expired.

The question is on the motion offered by the gentleman from Massachusetts [Mr. MARKEY] that the House suspend the rules and pass the Senate bill, S. 1699, as amended.

The question was taken.

Mr. MARKEY. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to the provisions of clause 5, rule I, and the Chair's prior announcement, further proceedings on this motion will be postponed.

PIPELINE SAFETY IMPROVEMENT ACT OF 1992

Mr. SHARP. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1489) to increase the safety to humans and the environment from the transportation by pipeline of natural gas and hazardous liquids, and for other purposes, as amended.

The Clerk read as follows:

H.R. 1489

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

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the "Pipeline Safety Act of 1992".

(b) TABLE OF CONTENTS.—

Sec. 1. Short title; table of contents.

TITLE I—NATURAL GAS PIPELINE SAFETY

Sec. 101. Environmental protection.
Sec. 102. High-density population areas.
Sec. 103. Increased inspection requirements.
Sec. 104. Excess flow valves.
Sec. 105. Technical pipeline safety standards committee.
Sec. 106. Operator testing.
Sec. 107. Replacement of cast iron pipelines.
Sec. 108. Pipeline facility inspection amendments.
Sec. 109. Gathering lines.
Sec. 110. Revised reporting requirements.
Sec. 111. Authority of Secretary.
Sec. 112. Enforcement.
Sec. 113. Participation in agreement proceedings.
Sec. 114. Authorization of appropriations.
Sec. 115. Customer-owned service lines.
Sec. 116. Additional State standards.
Sec. 117. Underwater abandoned pipeline facilities.
Sec. 118. Natural Gas Pipeline Safety Act of 1968 table of contents.

TITLE II—HAZARDOUS LIQUID PIPELINE SAFETY

Sec. 201. Environmental protection.
Sec. 202. Environmentally sensitive and high-density population areas.
Sec. 203. Increased inspection requirements.
Sec. 204. Technical Pipeline Safety Standards Committee.
Sec. 205. Operator testing.
Sec. 206. Low internal stress hazardous liquid pipeline facilities.
Sec. 207. Pipeline facility inspection amendments.
Sec. 208. Gathering lines.
Sec. 209. Revised reporting requirements.
Sec. 210. Authority of Secretary.
Sec. 211. Enforcement.
Sec. 212. Emergency flow restricting devices.
Sec. 213. Participation in agreement proceedings.
Sec. 214. Authorization of appropriations.
Sec. 215. Additional State standards.
Sec. 216. Underwater abandoned pipeline facilities.

TITLE III—GENERALLY APPLICABLE PIPELINE SAFETY PROVISIONS

Sec. 301. Grants-in-aid authorization.
Sec. 302. Underground storage tanks.
Sec. 303. Pipeline accident investigations.
Sec. 304. One-call enforcement.
Sec. 305. Additional inspectors.
Sec. 306. Development of underground utility location technologies.
Sec. 307. Study of underwater abandoned pipeline facilities.

TITLE IV—RESEARCH AND SPECIAL PROGRAMS ADMINISTRATION

Sec. 401. Research and Special Programs Administration.

TITLE V—HAZARDOUS MATERIALS TRANSPORTATION ACT TECHNICAL AMENDMENTS

Sec. 501. Correction to reference to Indian Self-Determination and Education Assistance Act.
Sec. 502. Definitions of HAZMAT employee and employer.
Sec. 503. Technical corrections to section 106.
Sec. 504. Technical correction to section 115.
Sec. 505. Technical corrections to section 116.
Sec. 506. Technical correction to section 118.
Sec. 507. Uniformity of State motor carrier permitting forms and procedures.
Sec. 508. Exemption for certain rail-motor carrier mergers.

TITLE I—NATURAL GAS PIPELINE SAFETY

SEC. 101. ENVIRONMENTAL PROTECTION.

(a) FEDERAL SAFETY STANDARDS AND REPORTS.—Section 3(a) of the Natural Gas Pipeline Safety Act of 1968 (49 U.S.C. App. 1672(a)) is amended—

(1) in paragraph (1) by inserting "and the protection of the environment" after "need for pipeline safety";

(2) in paragraph (1)(D) by inserting "and the protection of the environment" after "contribute to public safety"; and

(3) in paragraph (3)(A) by striking "or property" and inserting ", property, or the environment".

(b) CORRECTIVE ACTION.—Section 12(b) of such Act (49 U.S.C. App. 1679b(b)) is amended—

(1) in paragraph (1) by striking "or property," and inserting ", property, or the environment,";

(2) in paragraph (2)(A) by striking "or property," and inserting ", property, or the environment,";

(3) in paragraph (2)(B)—

(A) by striking "or property," and inserting ", property, or the environment,"; and

(B) by striking "or property." and inserting ", property, or the environment."; and

(4) in paragraph (5) by striking "or property." and inserting ", property, or the environment.".

SEC. 102. HIGH-DENSITY POPULATION AREAS.

(a) PIPELINE INVENTORY.—Section 3 of the Natural Gas Pipeline Safety Act of 1968 (49 U.S.C. App. 1672) is amended—

(1) in subsection (f)—

(A) by inserting "(and, to the extent the Secretary considers necessary, operators of gathering lines that are not regulated gathering lines as such term is defined pursuant to section 21(b))" after "subject to this Act"; and

(B) by inserting after the first sentence the following new sentence: "Such inventory shall also include an identification of each of the pipeline facilities of such operator which pass through an area described in regulations issued under subsection (i)(1)."; and

(2) by adding at the end the following new subsection:

"(i) HIGH-DENSITY POPULATION AREAS.—

"(1) IDENTIFICATION OF FACILITIES.—Not later than 2 years after the date of the enactment of this subsection, the Secretary shall issue regulations establishing criteria for the identification, by operators of pipeline facilities, of all pipeline facilities that are located in high-density population areas. Such regulations shall provide for such identification to be carried out through the inventory required under subsection (f).

"(2) EXCLUSION OF NATURAL GAS DISTRIBUTION LINES.—Natural gas distribution lines shall not be included among pipeline facilities required to be identified pursuant to paragraph (1).".

(b) MAPS.—Section 3(e)(2) of such Act is amended by inserting "including an identification of areas described in regulations issued under subsection (i)(1)," after "supplementary geographic description,".

(c) INSPECTION AND MAINTENANCE PLANS.—Section 13(a)(4) of such Act (49 U.S.C. App. 1680(a)(4)) is amended by inserting "and the protection of the environment" after "public safety".

SEC. 103. INCREASED INSPECTION REQUIREMENTS.

Section 3(g) of the Natural Gas Pipeline Safety Act of 1968 (49 U.S.C. App. 1672(g)) is amended—

(1) by redesignating paragraphs (1) and (2) as subparagraphs (A) and (B), respectively;

(2) by inserting "(1) FEDERAL SAFETY STANDARDS.—" after "INSPECTION DEVICES.—";

(3) by indenting paragraph (1), as designated by paragraph (2) of this subsection, and moving such paragraph (1) (including subparagraphs (A) and (B), as designated by paragraph (1) of this subsection) 2 ems to the right;

(4) by adding at the end of paragraph (1), as designated by paragraph (2) of this subsection, the following new sentence: "The Secretary may extend such regulation to require existing transmission facilities, whose basic construction would accommodate an instrumented internal inspection device, to be modified to permit the inspection of such facilities with instrumented internal inspection devices."; and

(5) by adding at the end the following new paragraph:

"(2) PERIODIC INSPECTIONS.—Not later than 3 years after the date of the enactment of this paragraph, the Secretary shall issue regulations requiring the periodic inspection of each pipeline identified pursuant to subsection (i) by the operator of the pipeline. In issuing the regulations, the Secretary shall prescribe the circumstances, if any, under which such inspections shall be conducted with an instrumented internal inspection device. In those circumstances under which an instrumented internal inspection device is not required, the Secretary shall require the use of an inspection method that is at least as effective as the use of such a device in providing for the safety of the pipeline.".

SEC. 104. EXCESS FLOW VALVES.

Section 3 of the Natural Gas Pipeline Safety Act of 1968 (49 U.S.C. App. 1672) is further amended by adding at the end the following new subsection:

"(j) EXCESS FLOW VALVES.—

"(1) REGULATIONS PRESCRIBING INSTALLATION CIRCUMSTANCES.—Not later than 18 months after the date of the enactment of this subsection, the Secretary shall issue regulations prescribing the circumstances, if any, under which operators of natural gas distribution systems must install excess flow valves in such systems. In prescribing such circumstances, the Secretary shall consider—

"(A) the system design pressure and the system operating pressure;

"(B) the types of customers to which the distribution system supplies natural gas, including hospitals, schools, and commercial enterprises;

"(C) the technical feasibility and cost of the installation of such valves;

"(D) the public safety benefits of the installation of such valves;

"(E) the location of customer meters; and

"(F) such other factors as the Secretary determines to be relevant.

"(2) REGULATIONS PRESCRIBING NOTIFICATION TO CUSTOMERS OF AVAILABILITY.—Not later than 2 years after the date of the enactment of this subsection, the Secretary shall issue regulations requiring operators of natural gas distribution systems to notify, in writing, their customers with lines in which excess flow valves are not required by law, but can be installed in accordance with the performance standards developed under paragraph (4)—

"(A) of the availability of excess flow valves for installation in such systems,

"(B) of any safety benefits to be derived from the installation, and

"(C) of any costs associated with the installation.

Such regulations shall provide that, except in circumstances under which the installation is required under paragraph (1), excess flow valves shall be installed at the request of a customer if the customer will pay all costs associated with the installation.

"(3) REPORT.—If the Secretary determines under paragraph (1) that there are no circumstances under which operators must install excess flow valves, the Secretary shall transmit to Congress, not later than 30 days after the date of such determination, a report on the reasons for such determination.

"(4) PERFORMANCE STANDARDS.—Not later than 18 months after the date of the enactment of this paragraph, the Secretary shall develop standards for the performance of excess flow valves used to protect lines in natural gas distribution systems. Such standards shall be incorporated into any regulations issued by the Secretary under this subsection. All installations of excess flow valves shall be made in accordance with such standards.

"(5) APPLICABILITY OF REGULATIONS AND STANDARDS.—Regulations and standards issued under paragraphs (1), (2), and (4) shall only apply to—

"(A) natural gas distribution systems installed after the effective date of such regulations; and

"(B) other natural gas distribution systems where repairs to such system require the replacement of parts in a manner to accommodate the installation of excess flow valves.".

SEC. 105. TECHNICAL PIPELINE SAFETY STANDARDS COMMITTEE.

Section 4 of the Natural Gas Pipeline Safety Act of 1968 (49 U.S.C. App. 1673) is amended—

(1) in subsection (a)(3) by striking the period and inserting ", including 2 members who have education, background, or experience in environmental protection or public safety. At least 1 of the members selected under this paragraph shall have no financial interests in the pipeline, petroleum, or natural gas industries."; and

(2) in subsection (b) by inserting after the sixth sentence the following new sentence: "The Committee, if requested by the Secretary, shall make recommendations to the Secretary concerning policy development.".

SEC. 106. OPERATOR TESTING.

Section 3(a)(1) of the Natural Gas Pipeline Safety Act of 1968 (49 U.S.C. App. 1672(a)(1)) is further amended—

(1) in the third sentence by striking "may" and inserting "shall"; and

(2) by inserting after the third sentence the following new sentence: "Such certification may, as the Secretary considers appropriate, be performed by the operator. Such testing and certification shall address the ability to recognize and appropriately react to abnormal operating conditions which may indicate a dangerous situation or a condition exceeding design limits.".

SEC. 107. REPLACEMENT OF CAST IRON PIPELINES.

Section 13 of the Natural Gas Pipeline Safety Act of 1968 (49 App. U.S.C. 1680) is amended by adding at the end the following new subsection:

"(c) REPLACEMENT OF CAST IRON PIPELINES.—The Secretary shall publish a notice as to the availability of the industry guidelines, developed by the Gas Piping Technology Committee, for the replacement of cast iron pipelines. Within 2 years after the industry guidelines become available, the Secretary shall conduct a survey of operators with cast iron pipe in their systems to determine the extent to which each operator has adopted a plan for the safe management and replacement of cast iron, the elements of the plan, including anticipated rate of replacement, and the progress that has been made. Chapter 35 of title 44, United States Code (relating to coordination of Federal information policy), shall not apply to the conduct of such survey. Nothing in this section shall preclude the Secretary from developing such Federal guidelines or regulations with respect to cast iron pipelines as the Secretary deems appropriate.".

SEC. 108. PIPELINE FACILITY INSPECTION AMENDMENTS.

Section 3(h) of the Natural Gas Pipeline Safety Act of 1968 (49 U.S.C. App. 1672(h)) is amended—

(1) in paragraph (2)(A) by striking "pipeline facility operators described in paragraph (1)(A)" and inserting "operators of pipeline facilities described in paragraph (3)";

(2) in paragraph (2)(B) by striking "paragraph (1)(A)" and inserting "paragraph (3)";

(3) in paragraph (3) by striking "periodic inspection program" and all that follows through "and its inlets" and inserting the following:

"periodic inspection program of—

"(A) all offshore pipeline facilities; and

"(B) any other pipeline facilities which cross under, over, or through navigable waters, as such term is defined by the Secretary, if the location of such pipeline facilities in such navigable waters could pose a hazard to navigation or public safety, as determined by the Secretary";

(4) in paragraph (4) by striking "offshore pipeline facility" and inserting "pipeline facility described in paragraph (3)"; and

(5) by adding at the end the following new paragraph:

"(5) SUPPLEMENTARY INITIAL INSPECTION.—

"(A) REQUIREMENT.—Not later than—

"(i) 3 years after the date of the enactment of this paragraph; or

"(ii) 6 months after the establishment of standards under subparagraph (D),

whichever occurs first, the operator of each offshore pipeline facility not described in paragraph (1)(A) shall inspect such pipeline facility and report to the Secretary on any portion of the pipeline facility which is exposed or is a hazard to navigation. This subparagraph shall apply only to pipeline facilities between the high water mark and the point where the subsurface is under 15 feet of water, as measured from mean low water.

"(B) EXTENSION.—The Secretary may extend the time period for compliance under subparagraph (A) with respect to a pipeline facility for an additional period of up to 6 months if the operator of the pipeline facility demonstrates to the satisfaction of the Secretary that a good faith effort, with due diligence and care, has failed to enable compliance with the deadline under subparagraph (A).

"(C) PRIOR INSPECTION RECOGNITION.—Any inspection of a pipeline facility which has occurred after October 3, 1989, may be used for compliance with subparagraph (A) if the inspection conforms to the requirements of that subparagraph.

"(D) ESTABLISHMENT OF STANDARDS.—The Secretary shall, within 2 years after the date of the enactment of this paragraph, establish, for the purposes of this paragraph, standards—

"(i) for what constitutes an exposed pipeline facility; and

"(ii) for what constitutes a hazard to navigation.".

SEC. 109. GATHERING LINES.

(a) DEFINITION OF TRANSPORTATION OF GAS.—

(1) AMENDMENTS.—Section 2(3) of the Natural Gas Pipeline Safety Act of 1968 (49 U.S.C. App. 1671(3)) is amended—

(A) by inserting ", other than gathering through regulated gathering lines," after "include the gathering of gas"; and

(B) by inserting ", but such term shall include the movement of gas through regulated gathering lines" after "a nonrural area".

(2) EFFECTIVE DATE.—The amendments made by paragraph (1) shall take effect on the effective date of the regulations required under section 21 of the Natural Gas Pipeline Safety Act of 1968, as added by subsection (b) of this section.

(b) REGULATIONS DEFINING GATHERING LINES.—Such Act is further amended by adding at the end the following new section:

"SEC. 21. GATHERING LINES.

"(a) GATHERING LINES DEFINED.—The Secretary shall, within 2 years after the date of the enactment of this section, define by regulation the term 'gathering line'. In defining such term, the Secretary shall consider functional and operational characteristics of the lines to be included in the definition and shall not be bound by any classifications established by the Federal Energy Regulatory Commission under the Natural Gas Act.

"(b) REGULATED GATHERING LINES DEFINED.—The Secretary shall, within 3 years after the date of the enactment of this section, define by regulation the term 'regulated gathering line'. In defining such term, the Secretary shall consider such factors as location, length of line from the well site, operating pressure, throughput, and the composition of the transported gas in determining the types of lines which are functionally gathering but which, due to specific physical characteristics, warrant regulation under this Act.".

SEC. 110. REVISED REPORTING REQUIREMENTS.

(a) PROPERTY DAMAGE THRESHOLD.—Section 5(a)(ii) of the Natural Gas Pipeline Safety Act of 1968 (49 U.S.C. App. 1674(a)(ii)) is amended by striking "$5,000" and inserting "an amount established by the Secretary".

(b) DATE OF ANNUAL REPORT TO CONGRESS.—Section 16(a) of such Act (49 U.S.C. App. 1683(a)) is amended by striking "April 15" and inserting "August 15".

SEC. 111. AUTHORITY OF SECRETARY.

The first sentence of section 5(a) of the Natural Gas Pipeline Safety Act of 1968 (49 U.S.C. App. 1674(a)) is amended by striking "when" and inserting "to the extent that".

SEC. 112. ENFORCEMENT.

(a) MAXIMUM CIVIL PENALTY.—Section 11(a)(1) of the Natural Gas Pipeline Safety Act of 1968 (49 U.S.C. App. 1679a(a)(1)) is amended by striking "$10,000" and inserting "$25,000".

(b) ENFORCEMENT ORDERS.—Section 14 of such Act (49 U.S.C. App. 1681) is amended by adding at the end the following new subsection:

"(f) ENFORCEMENT ORDERS.—In case of contumacy or refusal to obey a subpoena, or refusal to allow officers, employees, or agents authorized by the Secretary to enter, conduct inspections, or examine records and properties for purposes of determining compliance with this Act, by any person who resides, is found, or transacts business within the jurisdiction of any district court of the United States, such district court shall, upon the request of the Attorney General, acting at the request of the Secretary, have jurisdiction to issue to such person an order requiring such person to comply forthwith. Failure to obey such an order is punishable by that court as a contempt of court.".

SEC. 113. PARTICIPATION IN AGREEMENT PROCEEDINGS.

(a) IN GENERAL.—Section 12(b) of the Natural Gas Pipeline Safety Act of 1968 (49 U.S.C. App. 1679b(b)) is amended by adding at the end the following new paragraph:

"(6) OPPORTUNITY FOR STATE COMMENT.—The Secretary shall provide, to appropriate State officials responsible for pipeline safety in any State in which a pipeline facility is located, notice and an opportunity to comment on any agreement proposed to be entered into by the Secretary to resolve a proceeding initiated under this section with respect to such pipeline facility. Comment submitted under this paragraph shall incorporate comments of affected local officials.".

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect on the 180th day following the date of the enactment of this Act.

SEC. 114. AUTHORIZATION OF APPROPRIATIONS.

Section 17(a) of the Natural Gas Pipeline Safety Act of 1968 (49 U.S.C. App. 1684(a)) is amended—

(1) by striking "and" at the end of paragraph (8);

(2) by striking the period at the end of paragraph (9) and inserting a semicolon; and

(3) by inserting after paragraph (9) the following new paragraphs:

"(10) $6,405,000 for the fiscal year ending September 30, 1992;

"(11) $6,857,000 for the fiscal year ending September 30, 1993;

"(12) $7,000,000 for the fiscal year ending September 30, 1994; and

"(13) $7,500,000 for the fiscal year ending September 30, 1995.".

SEC. 115. CUSTOMER-OWNED SERVICE LINES.

(a) SERVICE LINE MAINTENANCE INFORMATION.—Section 18 of the Natural Gas Pipeline Safety Act of 1968 (49 U.S.C. App. 1685) is amended—

(1) by inserting "(a) PUBLIC EDUCATION PROGRAM.—" before "Each person"; and

(2) by adding at the end the following new subsection:

"(b) SERVICE LINE MAINTENANCE INFORMATION.—Not later than 1 year after the date of the enactment of this subsection, the Secretary shall issue regulations requiring operators of natural gas distribution pipelines which do not maintain customer-owned service lines up to building walls to advise their customers of the requirements for maintenance of those lines, any resources known to the operator that could aid customers in doing such maintenance, any information that the operator has concerning the operation and maintenance of its lines that could aid customers, and the potential hazards of not maintaining service lines.".

(b) MAINTENANCE OF CUSTOMER-OWNED SERVICE LINES.—

(1) DOT SAFETY REVIEW.—Within 18 months after the date of the enactment of this Act, the Secretary of Transportation shall conduct a review of Department of Transportation and State rules, policies, procedures, and other measures with respect to the safety of customer-owned natural gas service lines, including the effectiveness of such rules, policies, procedures, and other measures. The Secretary of Transportation shall include in the review an evaluation of the extent to which lack of maintenance of customer-owned natural gas service lines raises safety concerns and shall make recommendations regarding maintenance of such lines, including the need for any legislative changes or regulatory action. In conducting the review and developing the recommendations, the Secretary of Transportation shall consider the following factors: State and local law, including law governing private property and rights, and including State pipeline safety regulation of distribution operators; the views of State and local regulatory authorities; the extent of operator compliance with the program for advising customers regarding maintenance of such lines required under section 18(b) of the Natural Gas Pipeline Safety Act of 1968; available accident information; the recommendations of the National Transportation Safety Board; costs; the civil liability implications of distribution operators taking responsibility for customer-owned service lines; and whether the service line maintenance information program required under such section 18(b) sufficiently addresses safety risks and concerns involving customer-owned service lines.

(2) OPERATION AND MAINTENANCE RESPONSIBILITY.—Within 18 months after the date of the enactment of this Act, the Secretary of Transportation shall conduct, with the participation of the operators of natural gas dis-

tribution facilities, a survey of owners of customer-owned service lines to determine the views of such owners regarding whether distribution companies should assume responsibility for the operation and maintenance of customer-owned service lines. In conducting the survey, the Secretary of Transportation shall ensure that such customers are aware of any potential safety benefits, any potential implementation issues (including any property rights or cost issues), the recommendations of the National Transportation Safety Board, and accidents that have occurred, related to customer-owned service lines.

(3) APPLICABILITY.—Chapter 35 of title 44, United States Code (relating to coordination of Federal information policy) shall not apply to the conduct of the review or survey under this subsection.

(4) REPORT.—Not later than 2 years after the date of the enactment of this Act, the Secretary of Transportation shall transmit to Congress a report on the results of the review and survey conducted under this subsection, together with any recommendations (including legislative recommendations) regarding maintenance of customer-owned natural gas service lines.

(c) SAFETY MEASURES.—Section 3 of the Natural Gas Pipeline Safety Act of 1968 (14 U.S.C. App. 1672) is further amended by adding at the end the following new subsection:

"(k) SAFETY MEASURES.—The Secretary shall, within 1 year after transmitting the report required by section 115(b) of the Pipeline Safety Act of 1992, taking into consideration such report, and in cooperation and coordination with appropriate State and local authorities, take action, as appropriate, to promote the adoption of measures that would improve the safety of customer-owned service lines.".

SEC. 116. ADDITIONAL STATE STANDARDS.

Section 3(a)(1) of the Natural Gas Pipeline Safety Act of 1968 (49 U.S.C. App. 1672(a)(1)) is further amended by inserting "that has submitted a current certification under section 5(a)" after "Any State agency".

SEC. 117. UNDERWATER ABANDONED PIPELINE FACILITIES.

Section 3(h) of the Natural Gas Pipeline Safety Act of 1968 (49 U.S.C. App. 1672(h)) is further amended by adding at the end the following new paragraph:

"(6) ABANDONED PIPELINE FACILITIES.—

"(A) TREATMENT.—For the purposes of this subsection, except with respect to the initial inspection required under paragraph (1), the term 'pipeline facilities' includes underwater abandoned pipeline facilities. For the purposes of this subsection, in a case where such a pipeline facility has no current operator, the most recent operator of such pipeline facility shall be deemed to be the operator of such pipeline facility.

"(B) REGULATIONS.—

"(i) IDENTIFICATION OF HAZARDS.—In issuing regulations under paragraph (3), the Secretary shall identify what constitutes a hazard to navigation with respect to underwater abandoned pipeline facilities.

"(ii) OTHER REQUIREMENTS.—In issuing regulations under paragraphs (3) and (4) regarding underwater pipeline facilities abandoned after the date of the enactment of this paragraph, the Secretary shall—

"(I) include such requirements as will lessen the potential that such pipeline facilities will pose a hazard to navigation; and

"(II) take into consideration the relationship between water depth and navigational safety and factors relevant to the local marine environment.

"(C) REPORTING REQUIREMENTS.—

"(i) FORM.—The operator of a pipeline facility abandoned after the date of the enactment of this paragraph shall report such abandonment to the Secretary in a manner specifying whether the facility has been properly abandoned according to applicable Federal and State requirements.

"(ii) PRE-ENACTMENT ABANDONED PIPELINES.—Within 3 years after the date of the enactment of this paragraph, the operator of a pipeline facility abandoned before the date of the enactment of this paragraph shall report to the Secretary reasonably available information, including information in the possession of third parties, relating to the abandoned pipeline facility. Such information shall include the location, size, date, and method of abandonment, whether the pipeline had been properly abandoned pursuant to applicable law, and such other relevant information as the Secretary may require. The Secretary shall, within 18 months after the date of the enactment of this subsection, specify the manner in which such information shall be reported.

"(iii) MAINTENANCE OF RECORDS BY UNITED STATES.—The Secretary shall ensure that the information reported under clause (ii) is maintained by the Federal Government in a manner accessible to the appropriate Federal and State agencies.

"(iv) COLLISIONS.—The Secretary shall request that State agencies which have information on collisions between vessels and underwater pipeline facilities report such information to the Secretary in a timely manner and make a reasonable effort to specify the location, date, and severity of such collisions. Chapter 35 of title 44, United States Code, relating to coordination of Federal information policies, shall not apply to the collection of information under this clause.

"(D) ABANDONED DEFINED.—For purposes of this paragraph, the term 'abandoned' means permanently removed from service.".

SEC. 118. NATURAL GAS PIPELINE SAFETY ACT OF 1968 TABLE OF CONTENTS.

The first section of the Natural Gas Pipeline Safety Act of 1968 (49 U.S.C. App. 1671 note) is amended to read as follows:

"SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

"(a) SHORT TITLE.—This Act may be cited as the 'Natural Gas Pipeline Safety Act of 1968'.

"(b) TABLE OF CONTENTS.—

"Sec. 1. Short title; table of contents.
"Sec. 2. Definitions.
"Sec. 3. Standards established.
"Sec. 4. Technical Pipeline Safety Standards Committee.
"Sec. 5. State certifications and agreements.
"Sec. 6. Standards for LNG facilities.
"Sec. 7. Financial responsibility for certain LNG activities; studies.
"Sec. 8. Judicial review.
"Sec. 9. Cooperation with Federal Energy Regulatory Commission and State commissions.
"Sec. 10. Compliance.
"Sec. 11. Penalties.
"Sec. 12. Specific relief.
"Sec. 13. Inspection and maintenance plans.
"Sec. 14. Powers and duties of the Secretary.
"Sec. 15. Natural gas safety cooperation and coordination.
"Sec. 16. Annual report.
"Sec. 17. Appropriations authorized.
"Sec. 18. Consumer education.
"Sec. 19. Citizen's civil action.
"Sec. 20. Minimum requirements for one-call notification systems.
"Sec. 21. Gathering lines.".

TITLE II—HAZARDOUS LIQUID PIPELINE SAFETY

SEC. 201. ENVIRONMENTAL PROTECTION.

(a) FEDERAL SAFETY STANDARDS AND REPORTS.—Section 203 of the Hazardous Liquid Pipeline Safety Act of 1979 (49 U.S.C. App. 2002) is amended—

(1) in subsection (a)(1) by inserting "and the protection of the environment" after "safe transportation of hazardous liquids";

(2) in subsection (a)(2)(A) by striking "or property" and inserting ", property, or the environment"; and

(3) in subsection (b)(4) by inserting "and the protection of the environment" after "contribute to public safety".

(b) CORRECTIVE ACTION.—Section 209(b) of such Act (49 U.S.C. App. 2008(b)) is amended—

(1) in paragraph (1) by striking "or property," and inserting ", property, or the environment,";

(2) in paragraph (2)(A) by striking "or property," and inserting ", property, or the environment,";

(3) in paragraph (2)(B)—

(A) by striking "or property," and inserting ", property, or the environment,"; and

(B) by striking "or property." and inserting ", property, or the environment.";

(4) in paragraph (3)(C) by inserting "proximity of such areas to environmentally sensitive areas," after "associated with such areas,"; and

(5) in paragraph (5) by striking "or property." and inserting ", property, or the environment.".

SEC. 202. ENVIRONMENTALLY SENSITIVE AND HIGH-DENSITY POPULATION AREAS.

(a) PIPELINE INVENTORY.—Section 203 of the Hazardous Liquid Pipeline Safety Act of 1979 (49 U.S.C. App. 2002) is amended—

(1) in subsection (j)—

(A) by inserting "(and, to the extent the Secretary considers necessary, operators of gathering lines that are not regulated gathering lines as such term is defined pursuant to section 220(b))" after "subject to this title"; and

(B) by inserting after the first sentence the following new sentence: "Such inventory shall also include an identification of each of the pipeline facilities and gathering lines of such operator which pass through an area described in regulations issued under subsection (m), whether or not such pipeline facility or gathering line is otherwise subject to regulation under this Act."; and

(2) by adding at the end the following new subsection:

"(m) ENVIRONMENTALLY SENSITIVE AND HIGH-DENSITY POPULATION AREAS.—Not later than 2 years after the date of the enactment of this subsection, the Secretary shall issue regulations establishing criteria for the identification, by operators of pipeline facilities and operators of gathering lines, of—

"(1) all pipeline facilities and gathering lines, whether otherwise subject to regulation under this Act or not, that are located in areas that are described, by the Secretary in consultation with the Administrator of the Environmental Protection Agency, as unusually sensitive to environmental damage in the event of a pipeline accident; and

"(2) all pipeline facilities, whether otherwise subject to regulation under this Act or not, that—

"(A) cross a navigable waterway, as such term is defined by the Secretary by regulation; or

"(B) are located in areas that are described in such criteria as high-density population areas.

Such regulations shall provide for such identification to be carried out through the inventory required under subsection (j). In describing areas that are unusually sensitive to environmental damage, the Secretary shall consider including earthquake zones and areas subject to substantial ground movements such as landslides; areas where ground water contamination would be likely in the event of the rupture of a pipeline facility; freshwater lakes, rivers, and waterways; and river deltas and other areas subject to soil erosion or subsidence from flooding or other water action, where pipeline facilities are likely to become exposed or undermined.".

(b) MAPS.—Section 203(i)(2) of such Act (49 U.S.C. App. 2002(i)(2)) is amended by inserting "including an identification of areas described in regulations issued under subsection (m)," after "supplementary geographic description,".

(c) INSPECTION AND MAINTENANCE PLANS.—Section 210 of such Act (49 U.S.C. App. 2009) is amended—

(1) in subsection (b)(4) by inserting "and the protection of the environment" after "public safety"; and

(2) in each of subsections (c)(2)(D) and (d)(2)(D) by inserting "the proximity of such areas to areas that are unusually sensitive to environmental damage," after "pipeline facilities are located,".

SEC. 203. INCREASED INSPECTION REQUIREMENTS.

Section 203(k) of the Hazardous Liquids Pipeline Safety Act of 1979 (49 U.S.C. App. 2002(k)) is amended—

(1) by redesignating paragraphs (1) and (2) as subparagraphs (A) and (B), respectively;

(2) by inserting "(1) FEDERAL SAFETY STANDARDS.—" after "INSPECTION DEVICES.—";

(3) by indenting paragraph (1), as designated by paragraph (2) of this subsection, and moving such paragraph (1) (including subparagraphs (A) and (B), as designated by paragraph (1) of this subsection) 2 ems to the right;

(4) by adding at the end of paragraph (1), as designated by paragraph (2) of this subsection, the following new sentence: "The Secretary may extend such regulation to require existing transmission facilities whose basic construction would accommodate an instrumented internal inspection device to be modified to permit the inspection of such facilities with instrumented internal inspection devices."; and

(5) by adding at the end the following new paragraph:

"(2) PERIODIC INSPECTIONS.—Not later than 3 years after the date of the enactment of this paragraph, the Secretary shall issue regulations requiring the periodic inspection of each pipeline identified pursuant to subsection (m) by the operator of the pipeline. In issuing the regulations, the Secretary shall prescribe the circumstances, if any, under which such inspections shall be conducted with an instrumented internal inspection device. In those circumstances under which an instrumented internal inspection device is not required, the Secretary shall require the use of an inspection method that is at least as effective as the use of such a device in providing for the safety of the pipeline.".

SEC. 204. TECHNICAL PIPELINE SAFETY STANDARDS COMMITTEE.

Section 204 of the Hazardous Liquid Pipeline Safety Act of 1979 (49 U.S.C. App. 2003) is amended—

(1) in subsection (a)(3) by striking the period and inserting ", including 2 members who have education, background, or experience in environmental protection or public safety. At least 1 of the members selected under this paragraph shall have no financial interests in the pipeline, petroleum, or natural gas industries."; and

(2) in subsection (b) by inserting after the sixth sentence the following new sentence: "The Committee, if requested by the Secretary, shall make recommendations to the Secretary concerning policy development.".

SEC. 205. OPERATOR TESTING.

Section 203(c) of the Hazardous Liquid Pipeline Safety Act of 1979 (49 U.S.C. App. 2002(c)) is amended—

(1) in the second sentence by striking "may" and inserting "shall"; and

(2) by inserting after the second sentence the following new sentence: "Such certification may, as the Secretary considers appropriate, be performed by the operator. Such testing and certification shall address the ability to recognize and appropriately react to abnormal operating conditions which may indicate a dangerous situation or a condition exceeding design limits.".

SEC. 206. LOW INTERNAL STRESS HAZARDOUS LIQUID PIPELINE FACILITIES.

Section 203(b) of the Hazardous Liquid Pipeline Safety Act of 1979 (49 U.S.C. App. 2002(b)) is further amended by inserting after paragraph (4) the following new sentence:

"In exercising any discretion under this Act, the Secretary shall not provide an exception to regulation under this Act for any pipeline facility solely on the basis of the fact that such pipeline facility operates at low internal stress.".

SEC. 207. PIPELINE FACILITY INSPECTION AMENDMENTS.

Section 203(l) of the Hazardous Liquid Pipeline Safety Act of 1979 (49 U.S.C. App. 2002(l)) is amended—

(1) in paragraph (2)(A) by striking "pipeline facility operators described in paragraph (1)(A)" and inserting "operators of pipeline facilities described in paragraph (3)";

(2) in paragraph (2)(B) by striking "paragraph (1)(A)" and inserting "paragraph (3)";

(3) in paragraph (3) by striking "periodic inspection program" and all that follows through "and its inlets" and inserting the following:

"periodic inspection program of—

"(A) all offshore pipeline facilities; and

"(B) any other pipeline facilities which cross under, over, or through navigable waters, as such term is defined by the Secretary, if the location of such pipeline facilities in such navigable waters could pose a hazard to navigation or public safety, as determined by the Secretary";

(4) in paragraph (4) by striking "offshore pipeline facility" and inserting "pipeline facility described in paragraph (3)"; and

(5) by adding at the end the following new paragraphs:

"(5) TRANSFER PIPELINE FACILITIES.—The Secretary shall not exempt from regulation under this Act any offshore pipeline facility solely on the basis of the fact that such pipeline facility serves to transfer hazardous liquids in underwater pipelines between vessels and onshore facilities.

"(6) SUPPLEMENTARY INITIAL INSPECTION.—

"(A) REQUIREMENT.—Not later than—

"(i) 3 years after the date of the enactment of this paragraph; or

"(ii) 6 months after the establishment of standards under subparagraph (D),

whichever occurs first, the operator of each offshore pipeline facility not described in paragraph (1)(A) shall inspect such pipeline facility and report to the Secretary on any portion of the pipeline facility which is exposed or is a hazard to navigation. This subparagraph shall apply only to pipeline facilities between the high water mark and the point where the subsurface is under 15 feet of water, as measured from mean low water.

"(B) EXTENSION.—The Secretary may extend the time period for compliance under subparagraph (A) with respect to a pipeline facility for an additional period of up to 6 months if the operator of the pipeline facility demonstrates to the satisfaction of the Secretary that a good faith effort, with due diligence and care, has failed to enable compliance with the deadline under subparagraph (A).

"(C) PRIOR INSPECTION RECOGNITION.—Any inspection of a pipeline facility which has occurred after October 3, 1989, may be used for compliance with subparagraph (A) if the inspection conforms to the requirements of that subparagraph.

"(D) ESTABLISHMENT OF STANDARDS.—The Secretary shall, within 2 years after the date of the enactment of this paragraph, establish, for the purposes of this paragraph, standards—

"(i) for what constitutes an exposed pipeline facility; and

"(ii) for what constitutes a hazard to navigation.".

SEC. 208. GATHERING LINES.

(a) DEFINITION OF TRANSPORTATION OF HAZARDOUS LIQUIDS.—

(1) AMENDMENTS.—Section 202(3) of the Hazardous Liquid Pipeline Safety Act of 1979 (49 U.S.C. App. 2001(3)) is amended—

(A) by striking "any such";

(B) by inserting ", other than regulated gathering lines," after "through gathering lines"; and

(C) by inserting ", but such term shall include the movement of hazardous liquids through regulated gathering lines" after "any of such facilities".

(2) EFFECTIVE DATE.—The amendments made by paragraph (1) shall take effect on the effective date of the regulations required under section 220 of the Hazardous Liquid Pipeline Safety Act of 1979, as added by subsection (b) of this section.

(b) REGULATIONS DEFINING GATHERING LINES.—Such Act is further amended by adding at the end the following new section:

"SEC. 220. GATHERING LINES.

"(a) GATHERING LINES DEFINED.—The Secretary shall, within 2 years after the date of the enactment of this section, define by regulation the term 'gathering lines'.

"(b) REGULATED GATHERING LINES DEFINED.—The Secretary shall, within 3 years after the date of the enactment of this section, define by regulation the term 'regulated gathering lines'. In defining such term, the Secretary shall consider such factors as location, length of line from the well site, operating pressure, throughput, diameter, and the composition of the transported hazardous liquid in determining the types of lines which are functionally gathering but which, due to specific physical characteristics, warrant regulation under this Act. Such definition shall not include crude oil gathering lines that are of a nominal diameter of 6 inches or less, are operated at low pressure, and are located in rural areas that are not unusually sensitive to environmental damage.".

(c) CONFORMING AMENDMENT.—The table of contents contained in section 1(b) of the Hazardous Liquid Pipeline Safety Act of 1979 is amended by adding at the end the following new item:

"Sec. 220. Gathering lines.".

SEC. 209. REVISED REPORTING REQUIREMENTS.

(a) PROPERTY DAMAGE THRESHOLD.—Section 205(a) of the Hazardous Liquid Pipeline Safety Act of 1979 (49 U.S.C. App. 2004(a)) is amended by striking "$5,000" and inserting "an amount established by the Secretary".

(b) DATE OF ANNUAL REPORT TO CONGRESS.—Section 213(a) of such Act (49 U.S.C. App. 2012(a)) is amended by striking "April 15" and inserting "August 15".

SEC. 210. AUTHORITY OF SECRETARY.

The first sentence of section 205(a) of the Hazardous Liquid Pipeline Safety Act of 1979 (49 U.S.C. App. 2004(a)) is amended by striking "when" and inserting "to the extent that".

SEC. 211. ENFORCEMENT.

(a) MAXIMUM CIVIL PENALTY.—Section 208(a)(1) of the Hazardous Liquid Pipeline Safety Act of 1979 (49 U.S.C. App. 2007(a)(1)) is amended by striking "$10,000" and inserting "$25,000".

(b) ENFORCEMENT ORDERS.—Section 211 of such Act (49 U.S.C. App. 2010) is amended by adding at the end the following new subsection:

"(f) ENFORCEMENT ORDERS.—In case of contumacy or refusal to obey a subpoena, or refusal to allow officers, employees, or agents authorized by the Secretary to enter, conduct inspections, or examine records and properties for purposes of determining compliance with this Act, by any person who resides, is found, or transacts business within the jurisdiction of any district court of the United States, such district court shall, upon the request of the Attorney General, acting at the request of the Secretary, have jurisdiction to issue to such person an order requiring such person to comply forthwith. Failure to obey such an order is punishable by that court as a contempt of court.".

SEC. 212. EMERGENCY FLOW RESTRICTING DEVICES.

Section 203 of the Hazardous Liquid Pipeline Safety Act of 1979 (49 U.S.C. App. 2002) is further amended by adding at the end the following new subsection:

"(n) EMERGENCY FLOW RESTRICTING DEVICES.—

"(1) SURVEY AND ASSESSMENT.—The Secretary shall, within 2 years after the date of the enactment of this subsection, survey and assess the effectiveness of emergency flow restricting devices (including remotely controlled valves and check valves) and other procedures, systems, and equipment used to detect and locate pipeline ruptures and minimize product releases from pipeline facilities.

"(2) REGULATIONS.—Not later than 2 years after the completion of the survey and assessment required by paragraph (1), the Secretary shall issue regulations prescribing the circumstances under which operators of hazardous liquid pipeline facilities must use emergency flow restricting devices and other procedures, systems, and equipment described in paragraph (1) on such facilities.".

SEC. 213. PARTICIPATION IN AGREEMENT PROCEEDINGS.

(a) IN GENERAL.—Section 209(b) of the Hazardous Liquid Pipeline Safety Act of 1979 (49 U.S.C. App. 2008(b)) is amended by adding at the end the following new paragraph:

"(6) OPPORTUNITY FOR STATE COMMENT.—The Secretary shall provide, to appropriate State officials responsible for pipeline safety in any State in which a pipeline facility is located, notice and an opportunity to comment on any agreement proposed to be entered into by the Secretary to resolve a proceeding initiated under this section with respect to such pipeline facility. Comment submitted under this paragraph shall incorporate comments of affected local officials.".

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect on the 180th day following the date of the enactment of this Act.

SEC. 214. AUTHORIZATION OF APPROPRIATIONS.

Section 214(a) of the Hazardous Liquid Pipeline Safety Act of 1979 (49 U.S.C. App. 2013(a)) is amended—

(1) by striking "and" at the end of paragraph (8);

(2) by striking the period at the end of paragraph (9) and inserting a semicolon; and

(3) by inserting after paragraph (9) the following new paragraphs:

"(10) $1,600,500 for the fiscal year ending September 30, 1992;

"(11) $1,728,500 for the fiscal year ending September 30, 1993;

"(12) $1,866,800 for the fiscal year ending September 30, 1994; and

"(13) $2,000,000 for the fiscal year ending September 30, 1995.".

SEC. 215. ADDITIONAL STATE STANDARDS.

Section 203(d) of the Hazardous Liquid Pipeline Safety Act of 1979 (49 U.S.C. App. 2002(d)) is further amended by inserting "that has submitted a current certification under section 205(a)" after "Any State agency".

SEC. 216. UNDERWATER ABANDONED PIPELINE FACILITIES.

Section 203(l) of the Hazardous Liquid Pipeline Safety Act of 1979 (49 U.S.C. App. 2002(l)) is further amended by adding at the end the following new paragraph:

"(7) ABANDONED PIPELINE FACILITIES.—

"(A) TREATMENT.—For the purposes of this subsection, except with respect to the initial inspection required under paragraph (1), the term 'pipeline facilities' includes underwater abandoned pipeline facilities. For the purposes of this subsection, in a case where such a pipeline facility has no current operator, the most recent operator of such pipeline facility shall be deemed to be the operator of such pipeline facility.

"(B) REGULATIONS.—

"(i) IDENTIFICATION OF HAZARDS.—In issuing regulations under paragraph (3), the Secretary shall identify what constitutes a hazard to navigation with respect to underwater abandoned pipeline facilities.

"(ii) OTHER REQUIREMENTS.—In issuing regulations under paragraphs (3) and (4) regarding underwater pipeline facilities abandoned after the date of the enactment of this paragraph, the Secretary shall—

"(I) include such requirements as will lessen the potential that such pipeline facilities will pose a hazard to navigation; and

"(II) take into consideration the relationship between water depth and navigational safety and factors relevant to the local marine environment.

"(C) REPORTING REQUIREMENTS.—

"(i) FORM.—The operator of a pipeline facility abandoned after the date of the enactment of this paragraph shall report such abandonment to the Secretary in a manner specifying whether the facility has been properly abandoned according to applicable Federal and State requirements.

"(ii) PRE-ENACTMENT ABANDONED PIPELINES.—Within 3 years after the date of the enactment of this paragraph, the operator of a pipeline facility abandoned before the date of the enactment of this paragraph shall report to the Secretary reasonably available information, including information in the possession of third parties, relating to the abandoned pipeline facility. Such information shall include the location, size, date, and method of abandonment, whether the pipeline had been properly abandoned pursuant to applicable law, and such other relevant information as the Secretary may require. Within 18 months after the date of the enactment of this paragraph, the Secretary shall specify the manner in which such information shall be reported.

"(iii) MAINTENANCE OF RECORDS BY UNITED STATES.—The Secretary shall ensure that the information reported under clause (ii) is maintained by the Federal Government in a manner accessible to the appropriate Federal and State agencies.

"(iv) COLLISIONS.—The Secretary shall request that State agencies which have information on collisions between vessels and underwater pipeline facilities report such information to the Secretary in a timely manner and make a reasonable effort to specify the location, date, and severity of such collisions. Chapter 35 of title 44, United States Code, relating to coordination of Federal information policies, shall not apply to the collection of information under this clause.

"(D) ABANDONED DEFINED.—For purposes of this paragraph, the term 'abandoned' means permanently removed from service.".

TITLE III—GENERALLY APPLICABLE PIPELINE SAFETY PROVISIONS

SEC. 301. GRANTS-IN-AID AUTHORIZATION.

Section 17(c) of the Natural Gas Pipeline Safety Act of 1968 (49 U.S.C. App. 1684(c)) is amended by striking "and $5,500,000 for the fiscal year ending September 30, 1991" and inserting "$5,500,000 for the fiscal year ending September 30, 1991, $7,750,000 for the fiscal year ending September 30, 1992, $7,750,000 for the fiscal year ending September 30, 1993, $9,000,000 for the fiscal year ending September 30, 1994, and $10,000,000 for the fiscal year ending September 30, 1995".

SEC. 302. UNDERGROUND STORAGE TANKS.

Section 9001(1)(D) of the Solid Waste Disposal Act (42 U.S.C. 6991(1)(D)) is amended to read as follows:

"(D) pipeline facility (including gathering lines)—

"(i) which is regulated under the Natural Gas Pipeline Safety Act of 1968 (49 U.S.C. App. 1671 et seq.),

"(ii) which is regulated under the Hazardous Liquid Pipeline Safety Act of 1979 (49 U.S.C. App. 2001 et seq.), or

"(iii) which is an intrastate pipeline facility regulated under State laws as provided in the provisions of law referred to in clause (i) or (ii) of this subparagraph,

and which is determined by the Secretary to be connected to a pipeline or to be operated or intended to be capable of operating at pipeline pressure or as an integral part of a pipeline,".

SEC. 303. PIPELINE ACCIDENT INVESTIGATIONS.

Section 304(a)(1)(D) of the Independent Safety Board Act of 1974 (49 U.S.C. App. 1903(a)(1)(D)) is amended by inserting "or significant injury to the environment" after "substantial property damage".

SEC. 304. ONE-CALL ENFORCEMENT.

(a) ONE-CALL ENFORCEMENT.—Section 20 of the Natural Gas Pipeline Safety Act of 1968 (49 U.S.C. App. 1687) is amended by adding at the end the following new subsections:

"(g) VIOLATIONS.—Any person who knowingly and willfully—

"(1) engages in excavation activities—

"(A) without first using an available one-call notification system to determine the location of underground facilities in the area being excavated; or

"(B) without heeding appropriate location information or markings established by an

operator of a natural gas or hazardous liquid pipeline facility; and

"(2) subsequently damages—

"(A) a natural gas pipeline facility resulting in death, serious bodily harm, or actual damage to property exceeding $50,000; or

"(B) a hazardous liquid pipeline facility resulting in death, serious bodily harm, actual damage to property exceeding $50,000, or release of more than 50 barrels of product,

shall, upon conviction, be subject, for each offense, to a fine under title 18, United States Code, imprisonment for a term not to exceed 5 years, or both.

"(h) MARKING OF FACILITIES.—Upon notification by an operator of a damage prevention program or by a contractor, excavator, or other person planning to carry out demolition, excavation, tunneling, or construction in the vicinity of a natural gas or hazardous liquid pipeline facility, the operator of the pipeline facility shall accurately mark, in a reasonable and timely manner, the location of the pipeline facilities in the vicinity of such demolition, excavation, tunneling, or construction.".

(b) TECHNICAL AMENDMENTS.—Subsections (a)(1) and (c)(1) of section 11 of the Natural Gas Pipeline Safety Act of 1968 (49 U.S.C. App. 1678) are each amended by inserting "or section 20(h)" after "section 10(a)".

(c) NOTIFICATION OF OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION.—The Secretary of Transportation shall, in consultation with the Occupational Safety and Health Administration, establish procedures to notify such Administration of any pipeline accident in which an excavator, causing damage to a pipeline, may have violated Occupational Safety and Health Administration regulations.

SEC. 305. ADDITIONAL INSPECTORS.

To the extent and in such amounts as are provided in advance in appropriations Acts, the Secretary of Transportation, in fiscal year 1993, shall employ and retain thereafter an additional 12 employees for regional or field pipeline safety offices above the number of such employees authorized for fiscal year 1992. The primary functions of such additional employees shall be—

(1) to provide technical assistance and training to State pipeline inspectors and to assist in the review and management of pipeline safety grants;

(2) to inspect pipeline facilities, including interstate and intrastate hazardous liquid pipeline facilities in those States that do not have a hazardous liquid pipeline safety program that meets the requirements of section 205(a) or (b) of the Hazardous Liquid Pipeline Safety Act of 1979 (49 U.S.C. App. 2004(a) or (b));

(3) to assist the States identified in paragraph (2) in developing hazardous liquid pipeline safety programs that meet such requirements; and

(4) to inspect interstate hazardous liquid pipeline facilities constructed before 1971.

SEC. 306. DEVELOPMENT OF UNDERGROUND UTILITY LOCATION TECHNOLOGIES.

(a) IN GENERAL.—The Secretary of Transportation shall carry out a research and development program on underground utility location technologies.

(b) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $500,000 for fiscal years beginning after September 30, 1992. Such sums shall remain available until expended.

SEC. 307. STUDY OF UNDERWATER ABANDONED PIPELINE FACILITIES.

(a) STUDY.—The Secretary of Transportation, in consultation with State and other Federal agencies having authority over underwater natural gas and hazardous liquid pipeline facilities and with pipeline owners and operators, the fishing and maritime industries, and other affected groups, shall undertake a study of the abandonment of such pipeline facilities. Such study shall include—

(1) a survey of Federal policies and authorities with respect to abandonment of such pipeline facilities;

(2) an analysis of the extent and nature of the problems currently caused by such pipeline facilities;

(3) an analysis of alternative methods and requirements for abandonment as well as the relevant costs and other factors associated with those alternative methods and requirements;

(4) an analysis of the navigational, safety, and environmental impacts and economic costs associated with the disposition of pipeline facilities permanently removed from service;

(5) an analysis of various factors associated with retroactively imposing requirements on previously abandoned pipeline facilities; and

(6) other matters as may contribute to the development of a recommendation for Federal action.

(b) REPORT TO CONGRESS.—Not later than 3 years after the date of the enactment of this Act, the Secretary of Transportation shall submit to Congress a report on the results of the study undertaken under this section, together with a recommendation for Federal action.

(c) ADDITIONAL AUTHORITY.—Based on the findings of the study undertaken under this section, the Secretary may require, by regulations issued under the Natural Gas Pipeline Safety Act of 1968 or the Hazardous Liquid Pipeline Safety Act of 1979, operators of facilities abandoned before the date of the enactment of this Act to take any additional appropriate actions to prevent hazards to navigation in connection with such facilities.

(d) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $300,000 for fiscal years beginning after September 30, 1992. Such funds shall remain available until expended.

TITLE IV—RESEARCH AND SPECIAL PROGRAMS ADMINISTRATION

SEC. 401. RESEARCH AND SPECIAL PROGRAMS ADMINISTRATION.

(a) ESTABLISHMENT.—Chapter 1, title 49, United States Code, is amended by adding at the end the following new section:

"§ 112. Research and Special Programs Administration

"(a) ESTABLISHMENT.—There is established in the Department of Transportation a Research and Special Programs Administration.

"(b) ADMINISTRATOR.—

"(1) APPOINTMENT.—The Administration shall be headed by an Administrator who shall be appointed by the President, by and with the advice and consent of the Senate.

"(2) REPORTING.—The Administrator shall report directly to the Secretary.

"(c) DEPUTY ADMINISTRATOR.—The Administration shall have a Deputy Administrator who shall be appointed by the Secretary of Transportation. The Deputy Administrator shall carry out duties and powers prescribed by the Administrator.

"(d) RESPONSIBILITIES OF ADMINISTRATOR.—The Administrator of the Administration shall be responsible for carrying out the following:

"(1) HAZMAT TRANSPORTATION SAFETY.—Duties and powers vested in the Secretary of Transportation with respect to hazardous materials transportation safety, except as otherwise delegated by the Secretary.

"(2) PIPELINE SAFETY.—Duties and powers vested in the Secretary with respect to pipeline safety.

"(3) ACTIVITIES OF VOLPE NATIONAL TRANSPORTATION SYSTEMS CENTER.—Duties and powers vested in the Secretary with respect to activities of the Volpe National Transportation Systems Center.

"(4) OTHER.—Such other duties and powers as the Secretary shall prescribe, including such multimodal and intermodal duties as are appropriate.

"(e) LIMITATION ON STATUTORY CONSTRUCTION.—Nothing in this section shall affect any delegation of authority, regulation, order, approval, exemption, waiver, contract, or other administrative act of the Secretary with respect to laws administered through the Research and Special Programs Administration of the Department of Transportation on the date of the enactment of this section.".

(b) CONFORMING AMENDMENT.—The analysis for chapter 1 of such title is amended by adding at the end the following new item:

"112. Research and Special Programs Administration.".

(c) AMENDMENT TO TITLE 5, UNITED STATES CODE.—Section 5314 of title 5, United States Code, is amended by adding at the end the following new item:

"Administrator, Research and Special Programs Administration.".

TITLE V—HAZARDOUS MATERIALS TRANSPORTATION ACT TECHNICAL AMENDMENTS

SEC. 501. CORRECTION TO REFERENCE TO INDIAN SELF-DETERMINATION AND EDUCATION ASSISTANCE ACT.

Section 103(8) of the Hazardous Materials Transportation Act (49 U.S.C. App. 1802(8)) is amended by inserting after "Education" the following: "Assistance".

SEC. 502. DEFINITIONS OF HAZMAT EMPLOYEE AND EMPLOYER.

Section 103 of the Hazardous Materials Transportation Act (49 U.S.C. App. 1802) is amended in each of paragraphs (5)(B) and (6)(A)(iii)—

(1) by striking "reconditions" and inserting "manufactures, reconditions,"; and

(2) by inserting "as qualified" after "represented".

SEC. 503. TECHNICAL CORRECTIONS TO SECTION 106.

(a) IN GENERAL.—Section 106 of the Hazardous Materials Transportation Act (49 U.S.C. App. 1805) is amended—

(1) in subsection (c)(1)(C) by inserting "(in other than a bulk packaging)" after "5,000 pounds or more";

(2) in subsection (c)(8) by inserting ", or carries out an activity at more than one location," after "one activity";

(3) in subsection (c)(12) by striking "117(h)" and inserting "117A(h)";

(4) in subsection (d)(5) by striking "this section" and inserting "this subsection"; and

(5) in subsection (d)(5) by inserting ", in quantities established by the Secretary," after "motor carrier".

(b) SUBSECTION DESIGNATION AND HEADING.—Section 8 of the Hazardous Materials Transportation Uniform Safety Act of 1990 is amended by inserting before "Section 106" the first place it appears the following: "(a) IN GENERAL.—".

SEC. 504. TECHNICAL CORRECTION TO SECTION 115.

Section 115(a) of the Hazardous Materials Transportation Act (49 U.S.C. App. 1812(a)) is

amended by inserting ", 117A, 118," after "117".

SEC. 505. TECHNICAL CORRECTIONS TO SECTION 116.

Section 116 of the Hazardous Materials Transportation Act (49 U.S.C. App. 1813) is amended—

(1) in subsection (c) by inserting "and" after "alternative routes,"; and

(2) by adding at the end the following new subsection:

"(e) DEFINITIONS.—For purposes of this section, the following definitions apply:

"(1) HIGH-LEVEL RADIOACTIVE WASTE.—The term 'high-level radioactive waste' has the meaning given such term in section 2(12) of the Nuclear Waste Policy Act of 1982 (42 U.S.C. 10101(12)).

"(2) SPENT NUCLEAR FUEL.—The term 'spent nuclear fuel' has the meaning given such term in section 2(23) of the Nuclear Waste Policy Act of 1982 (42 U.S.C. 10101(23)).".

SEC. 506. TECHNICAL CORRECTION TO SECTION 118.

Section 118(d) of the Hazardous Materials Transportation Act (49 U.S.C. App. 1816(d)) is amended by striking "117(h)" and inserting "117A(h)".

SEC. 507. UNIFORMITY OF STATE MOTOR CARRIER PERMITTING FORMS AND PROCEDURES.

(a) WORKING GROUP.—Section 121(a) of the Hazardous Materials Transportation Act (49 U.S.C. App. 1819(a)) is amended—

(1) in paragraph (1) by striking "States that" and inserting "a State to";

(2) in paragraph (1) by striking ", by motor vehicle" and inserting "by motor vehicle in such State and for a State to permit the transportation of hazardous materials in such State"; and

(3) in paragraph (2) by inserting "and permit" before "forms and".

(b) CONSULTATION REQUIREMENT.—Section 121(b) of such Act is amended by inserting "and permit" before "requirements".

SEC. 508. EXEMPTION FOR CERTAIN RAIL-MOTOR CARRIER MERGERS.

Any transaction in which a rail carrier providing transportation subject to the jurisdiction of the Interstate Commerce Commission under subchapter I of chapter 105 of title 49, United States Code (or a person controlled by or affiliated with such a rail carrier) seeks to acquire control of a motor carrier providing transportation subject to the jurisdiction of the Interstate Commerce Commission under subchapter II of chapter 105 of such title shall be exempt from the fourth sentence of section 11344(c) of such title (1) if, during the period between November 30, 1987, and May 1, 1992, such rail carrier or person acquired a minority stock interest in the motor carrier, and (2) if such rail carrier or person (or a person controlled by or affiliated with such rail carrier or person) was authorized by the Commission to provide transportation as a motor carrier before the acquisition of such minority stock interest.

The SPEAKER. pro tempore. Pursuant to the rule, the gentleman from Indiana [Mr. SHARP] will be recognized for 20 minutes, and the gentleman from California [Mr. MOORHEAD] will be recognized for 20 minutes.

The Chair recognizes the gentleman from Indiana [Mr. SHARP].

Mr. SHARP. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. MINETA] be yielded 10 minutes of my 20 minutes. This is a joint effort by the Committee on Energy and Commerce and the Committee on Public Works and Transportation.

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

There was no objection.

Mr. MOORHEAD. Mr. Speaker, I ask unanimous consent that the gentleman from Pennsylvania [Mr. SHUSTER] be given 10 minutes of my time.

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

There was no objection.

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

Mr. Speaker, the Energy and Commerce Committee is pleased to join with the Public Works Committee in recommending that the House pass H.R. 1489, the Pipeline Safety Act of 1992. I also would like to thank Chairman DINGELL and ROE of the two committees; my colleagues on the two committees involved, particularly the comanager of the bill, Chairman MINETA; and Mr. LENT, Mr. MOORHEAD, Mr. BREWSTER, Mr. VENTO, and Mr. TAUZIN.

The Public Works Committee and the Energy and Commerce Committee this year have continued the spirit of cooperation on pipeline safety that has enabled us to continually improve this program over the past decade. In this spirit, we are jointly offering a substitute amendment. The substitute amendment draws from the best of the wisdom embodied in the Energy and Commerce Committee version, the Public Works version, and the Senate version.

This legislation is important because between 1971 and 1986, pipeline failures caused an average of 11 deaths and 48 injuries annually and incurred an average annual cost of $25 million in property damage, product loss, and cleanup charges. This includes an estimated 309,000 barrels of oil lost. This legislation will reduce those risks.

Among the highlights of the legislation are, first, a new emphasis on environmental protection, including several specific near-term actions that the Department of Transportation [DOT] must take, as well as new authority which DOT can use to protect the environment;

Second, the bill improves damage prevention, by means of increased inspection requirements, a national program to inspect underwater pipelines to ensure they are properly buried and do not impose a hazard to navigation—in 1990, Congress required such a program for the Gulf of Mexico—better operator training, penalties for pipeline operators and excavators who fail to participate in State and local damage prevention programs, and analysis and corrective action regarding abandoned underwater pipelines;

Third, it expands the universe of pipelines covered by the safety acts, including elimination of the blanket exemption for low internal stress pipelines, and creating a program to require some DOT regulation of some gathering lines;

Fourth, it establishes requirements to improve safety by using state of the art technology, including excess flow valves, smart pigs, and emergency flow restricting devices;

Fifth, the bill authorizes the full 50 percent funding of State pipeline safety programs allowed under the existing pipeline safety statutes, which is financed by a user fee;

Sixth, it requires that States be given notice and an opportunity to comment on consent agreements between DOT and pipeline operators; and

Seventh, it establishes requirements for improving the safety of customer-owned natural gas service lines.

The requirements for improving the safety of customer-owned pipe merit some discussion. Mr. MINETA and I are pleased that we were able to reach a reasonable compromise on this matter. We want everyone to know that the controversy over these provisions has led us to take a deep personal interest in the safety of customer-owned pipe. Next Congress, we intend to actively oversee DOT's and the natural gas industry's compliance with the law. We plan to ensure that the safety review is completed in the time and manner specified in the legislation; that the public is aggressively brought into the regulatory process through the survey; and that the public safety is protected. We are optimistic that no additional legislation on this matter will be necessary, but if we learn that it is, we will take the lead in ensuring that it is enacted, if necessary, before the next reauthorization cycle.

The customer-owned pipe issue merits some further discussion. The three organizations responsible for ensuring pipeline safety have identified customer-owned natural gas service lines as a major cause for concern: the National Transportation Safety Board, the Department of Transportation, and the National Association of State Pipeline Safety Representatives. I support and agree with the views of all of these organizations on this matter.

The National Transportation Safety Board addressed this issue in its report entitled "Kansas Power and Light Company Natural Gas Accidents September 16, 1988 to March 29, 1989" (NTSB/PAR-90/01). The report says,

> The actions of both the KCC, Kansas Corporation Commission and of RSPA, the Research and Special Programs Administration of DOT, the Federal organization responsible for pipeline safety, recognized that to attain reasonable public safety, specific tests must be performed on buried gas pipelines without regard to ownership and that gas customers generally cannot be expected to recognize or to perform these tests.

In a January 24 letter to me and to several members of the Public Works Committee, the NTSB said,

According to testimony given at the Safety Board's public hearing on the KPL accidents, local plumbers would not be adversely affected by requiring gas operators to periodically survey for gas leaks and for corrosion in all buried customer-owned pipe between the gas main and the building being served. Plumbers and other local contractors generally do not perform or offer to perform such services; rather they respond to customers' repair requests after the customers or others have detected the odor of leaking gas. Furthermore, a plumber in the Kansas City area testified that residents who owned a segment of the buried pipe generally refused to protect their lines from corrosion because they did not understand why such protection was needed and because other plumbers told them that corrosion protection was not required. Whether or not it is the supplying gas company that repairs or replaces the customer's pipe, the Safety Board believes the gas company should be required to perform the leak and corrosion tests on buried customer-owned piping that transports gas to buildings. Usually only the gas company has the equipment and qualified people needed to perform such tests. When hazards are detected, the gas company should be required to discontinue gas service until the hazards have been eliminated.

As the Secretary of Transportation said in his May 14, 1991, letter to the Speaker of the House transmitting DOT's proposed pipeline safety legislation,

Within the last several years, gas explosions have destroyed homes and killed and injured residents in Kansas and Missouri. The explosions were due to deteriorated gas lines located in the homeowners' yards. These accidents might have been averted had the distribution company provided necessary maintenance for the lines.

I completely agree with the Secretary's assessment.

The Secretary has repeated in numerous letters to the many parties who have expressed interest in the customer-owned pipe provisions, "We at RSPA [DOT] are concerned about the safety of customer-owned gas piping and are examining ways of assuring greater oversight of these pipelines." I support these efforts, and I expect them to accelerate after this bill passes.

Subsection (c) of section 115 does not expand, limit, or change the definition of "transportation of gas" in section 2(3) of the Natural Gas Pipeline Safety Act. Rather, it requires that the Department of Transportation, the States, the pipeline operators, and the customers will take whatever action is necessary to address this important safety issue.

The smart pig provisions also merit some elaboration. The Secretary must require periodic inspection by a smart pig or by an equally effective method. In determining whether alternatives provide an equivalent degree of safety to that provided by smart pigs, the Secretary should place the greatest weight on the comparative predictive capability.

In sum, the bill continues the steady congressional effort to improve the safety of our pipelines, and I urge the House to pass it.

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

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

Mr. Speaker, I rise in strong support of H.R. 1489, the Pipeline Safety Act of 1992. This bill, which I was pleased to cosponsor with Subcommittee Chairman SHARP, reauthorizes the natural gas and hazardous liquids pipeline safety programs through 1995. The bill also makes significant substantive changes in existing law which will improve our pipeline safety programs.

I believe this is a good bill because it requires the Department of Transportation to undertake new pipeline safety measures only where safety considerations warrant them. Thus, H.R. 1489 includes provisions for expanded jurisdiction to protect the environment, increased inspection requirements, operator certification, customer notifications, penalties for failure to use an available one-call system, and use of new technology designed to improve pipeline safety.

H.R. 1489 matches new safety initiatives with demonstrated safety needs. Importantly, this bill does not require pipelines or local distribution companies to make expensive modifications to existing facilities except where necessary.

I believe the changes embodied in H.R. 1489 are constructive and will further enhance the safety of natural gas and hazardous materials pipelines.

Thus, I urge my colleagues to support this bill.

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

Mr. SHARP. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from Minnesota [Mr. VENTO], who has brought to the subcommittee's attention on several occasions some of the serious problems which must be addressed.

Mr. VENTO. Mr. Speaker, I commend the gentleman from Indiana [Mr. SHARP], as well as the members of the committees of jurisdiction who have worked on this matter.

Mr. Speaker, this has long been an interest of mine. In the early 1980's, along with other Members, such as the gentleman from Indiana [Mr. SHARP], we asked for GAO studies. I introduced legislation because I was concerned about the environmental impact of natural gas and hazardous liquid pipelines. We had problems, frankly, in my district, and I found that the law was very inadequate at that time to deal with them.

Subsequent to that, in July 1986, there was a loss of life in my district in Mounds View, MN, when a pipeline erupted and there was no way to shut it off, and those fuels and liquid gasoline ignited, killing a mother and child as they walked out the front door of their suburban home. I think that served notice to me and the Nation to try to improve the laws that deal with pipeline safety.

I am pleased to say in 1988, and again now in 1992, we are improving that, both in terms of enhanced inspection and in terms of mapping.

This specific legislation deals with one of the primary goals that we have had in terms of providing for automatic flow control devices to shut off those pipelines when they do have a leakage or break in the security of that system so that we will not have the continued accumulation of literally hundreds of thousands of gallons of fuel that leak into the environment, down the sewers, creating really a nightmare in some urban or suburban or rural communities.

Mr. Speaker, this legislation, of course, goes beyond that, adding to the number of inspectors dealing with environmentally sensitive areas, dealing with fines for noncompliance in terms of the on-call or one-call systems. I think it picks up on many of the studies and work we have been engaged in over the last 10 years.

Mr. Speaker, I commend the chairman, the ranking member, and others that have taken an active interest on both the Committee on Energy and Commerce and the Committee on Public Works and Transportation, and hope that this will be guided to enactment during this session. I look forward to working with these Members.

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

Mr. Speaker, I rise in support of H.R. 1489 as amended, the Pipeline Safety Act of 1992, which authorizes funds to carry out the safety programs established under the Natural Gas Pipeline Safety Act and the Hazardous Liquid Pipeline Safety Act. These pipeline safety programs were last authorized by the Pipeline Safety Reauthorization Act of 1988.

Pipeline transportation is, by far, the safest form of transportation in our Nation and yet every pipeline accident that does occur can lead to tragedy and devastation. In 1990, pipeline accidents caused 8 deaths and 74 injuries. Third party damage is the most frequent cause of pipeline accidents. H.R. 1489 was introduced in the House to address concerns regarding these accidents. In the Senate, S. 1583 was introduced for similar purposes.

H.R. 1489 was referred jointly to the Committee on Energy and Commerce and the Committee on Public Works and Transportation. The Committee on Energy and Commerce reported the bill on October 8, 1991. The Committee on Public Works and Transportation reported an amendment in the nature of a substitute to the bill on July 27, 1992. The Senate Committee on Commerce, Science, and Transportation reported S. 1583 on September 16, 1991, and the full Senate passed the bill on October 7, 1991. The Senate bill and the two House

versions of H.R. 1489 shared many of the same goals and objectives. The three bills also differed in certain respects.

I am proud to report that, through a strong cooperative and bipartisan effort, a compromise package has been developed that incorporates the strengths of all three bills. Mr. SHARP and I offer to the full body this package, which we understand the Senate is willing to take.

At this time, I would like to thank my esteemed colleagues for their efforts on this legislation. First, my thanks go to the leadership of our committee who have worked on this bill; namely, Chairman ROBERT A. ROE, Congressman JOHN PAUL HAMMERSCHMIDT, Congressman BUD SHUSTER, and Congressman BILL BREWSTER. I also wish to thank the leadership of the House Committee on Energy and Commerce; namely, Chairman JOHN DINGELL, Chairman SHARP, and the ranking minority members of the full committee and subcommittee, Congressman NORMAN LENT and Congressman CARLOS MOORHEAD. Finally, I would like to thank Senators HOLLINGS and DANFORTH, chairman and ranking minority member of the Senate Commerce, Science, and Transportation Committee.

The bill, as amended, which is before you, provides for: A new emphasis on environmental protection; improved identification of pipelines in environmentally sensitive and high-density population areas through the use of inventory and mapping; penalties for pipeline operators and excavators who fail to participate in one-call systems; analysis and corrective action regarding abandoned underwater pipelines; and increased use of state-of-the-art technology, including excess flow valves for natural gas pipelines and excess flow restricting devices for hazardous liquid pipelines.'

In addition, the amendment provides for: Increased inspection requirements, including use of instrumental internal inspection devices—often referred to as smart pigs; a program to improve the operation and maintenance of customer-owned service lines; improved operator testing; a national program to inspect underwater pipelines to ensure they are properly buried and do not impose a hazard to navigation; elimination of the blanket exemption for low internal stress pipelines; safety coverage of some gathering lines; guidelines for replacement of cast iron pipelines; and authorizations for carrying out both Pipeline Safety Acts through fiscal year 1995. The amendment also establishes the Research and Special Programs Administration [RSPA] as a statutory administration within the Department of Transportation. Finally, the amendment makes various technical amendments to the Hazardous Materials Transportation Act.

A more detailed description of the compromise provisions is attached.

I strongly urge my colleagues to support this legislation.

COMPROMISE PROVISIONS

The major differences between the amendment in the nature of a substitute to H.R. 1489 and H.R. 1489, as reported by the Public Works and Transportation Committee, are as follows:

SMART PIGS

The amendment provides that the Secretary, in issuing regulations requiring the periodic inspection of pipelines, is required to prescribe the circumstances, if any, under which such inspections shall be conducted with an instrumented internal inspection device, commonly called a smart pig. The amendment also provides that, in those circumstances under which a smart pig is not required, the Secretary shall require the use of an inspection method that is at least as effective as the use of such a device.

This requirement is not intended to provide a back door for requiring the use of smart pigs. It is intended only to ensure that, if a method other than a smart pig is selected, that method must provide for an equivalent level of safety.

EXCESS FLOW VALVES

The amendment clarifies that the Secretary is required to issue a regulation prescribing the circumstances, if any, under which operators of natural gas distribution systems must install excess flow valves. It also requires the issuance of a regulation prescribing notification requirements to customers of the availability of excess flow valves which provides that, in circumstances under which installation is not required, customers have the right to request installation of excess flow valves provided the customer pays all costs associated with the installation. If installation is required by regulation, the operator must pay all costs.

The amendment also extends from 18 months to 2 years the date by which the Secretary is required to issue regulations prescribing notification to customers and clarifies that all installations, whether requested by the customer or required by regulation, must be made in accordance with performance standards established by the Secretary.

USER FEES

The amendment strikes the provision on user fees which was contained in sections 107 and 207 of H.R. 1489, as reported by the Public Works and Transportation Committee.

REPLACEMENT OF CAST IRON PIPELINES

The amendment includes a provision that requires the Secretary to publish a notice as to the availability of the industry guidelines, developed by the Gas Piping Technology Committee, for the replacement of cast iron pipelines.

PIPELINE FACILITY INSPECTION AMENDMENTS

The amendment extends from 2 to 3 years after enactment, or 6 months after establishment of standards, whichever occurs first, the date by which operators of certain offshore pipeline facilities are required to inspect such facilities and report to the Secretary on portions which are exposed or are a hazard to navigation. It also extends from 6 to 18 months after enactment the date by which the Secretary is required to establish standards for what constitutes an exposed pipeline facility and for what constitutes a hazard to navigation.

GATHERING LINES

The amendment extends from 1 to 2 years after enactment the date by which the Secretary is required to define by regulation a natural gas "gathering line" and "regulated gathering line."

AUTHORIZATION OF APPROPRIATIONS

The amendment reduces the authorization levels for fiscal year 1993 to provide for reasonable increases in the programs that are consistent with the figures in the 1993 appropriations bills. It further reduces the authorization levels for subsequent years as follows: The Natural Gas Pipeline Safety Act of 1968 is reduced from $7,400,000 and $7,770,000 to $7,000,000 and $7,500,000 for fiscal years 1994 and 1995; the Hazardous Liquid Pipeline Safety Act of 1979 is reduced from $2,015,000 and $2,116,000 to $1,866,800 and $2,000,000 for fiscal years 1994 and 1995.

The amendment no longer includes in the authorizations under either act for fiscal year 1994 a specific reference to the availability of funds for employing additional employees under section 305 for regional or field pipeline safety officers.

The amendment also reduces the grants-in-aid authorizations from $9,500,000, $9,500,000, and $10,500,000 to $7,750,000, $9,000,000 and $10,000,000 for fiscal years 1993, 1994, and 1995.

CUSTOMER-OWNED SERVICE LINES

The amendment extends from 6 months to 1 year after date of enactment the date by which the Secretary must issue regulations requiring operators that do not maintain customer-owned service lines up to building walls to educate their customers about maintenance of those lines.

It further requires the Secretary, within 18 months after enactment, to conduct a review of DOT and State rules, policies, and procedures with respect to the safety to customer-owned natural gas service lines, including the effectiveness of such rules policies and procedures, and make recommendations regarding maintenance of such lines, including the need for any legislative action.

Within 18 months after date of enactment, the Secretary must conduct a survery of owners of customer-owned service lines, with the participation of operators of natural gas distribution facilities, to determine the views of such owners regarding whether distribution companies should assume responsibility for the operation and maintenance of customer-owned service lines.

The Secretary must transmit to Congress a report on the results of the study and review, with any recommendations for legislation within 2 years after date of enactment; and within 1 year after transmitting the report take appropriate action to promote adoption of measures to improve the safety of customer-owned service lines.

Subsection (c) of section 115 does not expand, limit, or change the definition of "transportation of gas" in section 2(3) of the Natural Gas Pipeline Safety Act.

ONE CALL ENFORCEMENT

The amendment clarifies that any person who knowingly and willfully engages in excavation activities without first using an available one-call system to determine the location of underground facilities in the area being excavated; or without heeding the appropriate location information or markings established by an operator of a natural gas or hazardous liquid pipeline facility; and subsequently damages: (A) a natural gas pipeline facility resulting in death, serious bodily harm, or actual damage to property exceeding $50,000; or (B) a hazardous liquid pipeline facility resulting in death, serious bodily harm, actual damage to property exceeding $50,000 or release of more than 50 barrels of product, shall upon conviction, be

subject to a fine under title 18, United States Code, imprisonment for up to 5 years, or both, for each offense.

EMERGENCY FLOW RESTRICTING DEVICES

The amendment divides the provision on emergency flow restricting devices into two parts. First, it provides that within 2 years after date of enactment, the Secretary must conduct a survey and assessment of the effectiveness of emergency flow restricting devices (including remotely controlled valves and check valves) and other procedures, systems, and equipment used to detect and locate pipeline ruptures and minimize product releases from pipeline facilities.

Second, the amendment further provides that not later than 2 years after completion of the survey and assessment, the Secretary shall issue regulations prescribing the circumstances under which operators of hazardous liquid pipeline facilities must use emergency flow restricting devices and other procedures, systems, and equipment to detect and locate pipeline ruptures and minimize product release from pipeline facilities.

EXEMPTION FOR CERTAIN RAIL-MOTOR CARRIERS MERGERS

The bill provides for an exemption from certain requirements under subchapter 1 of chapter 105 of title 49, United States Code, for rail-motor carrier mergers that took place between November 30, 1987, and May 1, 1992.

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

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

Mr. Speaker, I am pleased we are able to bring this important piece of legislation to the floor today. I would like to commend my colleagues on the Public Works and Transportation Committee—Chairman BOB ROE, subcommittee Chair NORM MINETA, and ranking Republican JOHN PAUL HAMMERSCHMIDT for their leadership in putting this bill together. My thanks is also extended to our colleagues on the Energy and Commerce Committee—Chairman JOHN DINGELL, subcommittee Chair PHIL SHARP, Congressman NORMAN LENT, and Congressman CARLOS MOORHEAD for their cooperation in resolving the minor differences between the two committees' bills so that we could come to the floor in agreement today.

The safety of our natural gas and hazardous liquid pipeline systems is of utmost importance. The Department of Transportation has authority over approximately 1.6 million miles of natural gas pipeline and 151,000 miles of hazardous liquid pipeline. These pipelines transport precious energy and heat to our Nation's homes and industries everyday.

The fact that the safety record of these pipelines is already excellent is a tribute to the industry itself, the Office of Pipeline Safety at the Department of Transportation, and the Congress for its diligent oversight of this safety program. Of the over 43,000 transportation fatalities in the United States last year, only 14 were attributed to pipelines. The bill before us will continue the industry's strong record and give direction to DOT to proceed with safety initiatives in some new areas to ensure that record improves.

I speak in full support of this legislation and urge my colleagues to do the same.

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

Mr. MINETA. Mr. Speaker, I yield 3 minutes to the distinguished gentleman from Oklahoma [Mr. BREWSTER].

Mr. BREWSTER. Mr. Speaker, I rise today in support of H.R. 1489, the Pipeline Safety Act of 1992. I would also like to take this opportunity to thank NORM MINETA and PHIL SHARP for their efforts on this legislation. I have appreciated the time they spent working to address some of the concerns I have about the legislation. The amendment before us today represents a balanced approach to improving pipeline safety without placing an undue financial burden on natural gas customers.

The natural gas industry has an outstanding safety record that should be the model for other industries. However, there is always room for improvement. Additionally, many of the safety initiatives undertaken by the industry have been voluntary with little technical assistance or regulatory directions from the Department of Transportation. H.R. 1489 will establish industry-wide safety guidelines on smart pigs, excess flow valves, and customer-owned lines. The Department of Transportation will be required to identify pipelines that can be easily modified to accommodate the use of instrumented internal inspection devices. DOT will also issue regulations to specify the circumstances, if any, under which natural gas pipeline operators must install excess flow valves. The legislation will also require minimum operator training requirements and mandate additional pipeline safety inspectors at DOT. H.R. 1489 will also improve the one-call utility locator systems, perhaps the most important natural gas pipeline safety programs. Overall, the legislation vastly improves the inspection role of DOT and will enhance safety for gas customers.

Again, Mr. Speaker I would like to thank NORM MINETA and PHIL SHARP, as well as the staff who have produced not only a good piece of legislation, but sound public policy, as well

Mr. FRANKS of Connecticut. Mr. Speaker, I rise today to express my support for H.R. 1489, the Pipeline Safety Act. This bill serves the important purpose of ensuring this safety through increased public education and use of modern technologies for early detection and prevention of problems associated with pipelines.

In light of the recent proposed pipeline construction in Newtown, CT, in the Fifth District, I have become acutely aware of the very valid concerns of the Newtown residents, regarding the safety of their community.

Among the provisions in this bill are those which require that pipeline customers be educated as to the maintenance of non-customer-owned lines. Such education will serve to advise consumers of potential hazards, and allow them to maintain lines in a way that will reduce the risk of accidents. It is important to note that these accidents have, in the past, resulted in death, injury and property damage, therefore, measures must be taken to reduce the risks in the future.

Inspection of existing pipelines through the use of advanced technology, as provided for in H.R. 1489, will also help to ensure that the pipelines are in the best possible condition, and to quickly identify problem situations. This bill also increases the instances for which a pipeline accident must be investigated by the National Transportation Safety Board. These investigations can provide important information for other pipeline areas as to the prevention of similar accidents.

As we move forward in meeting our energy needs through the use of increasingly advanced technology, we must also take care to examine the consequences of this progress, and ensure that its liabilities do not outweigh its advantages. In this regard, it is important that we carefully examine proposals for pipeline construction and involve the public to the greatest possible extent. The most important way to prevent pipeline accidents is to keep the public informed of the responsibilities it has in keeping the pipelines safe and productive to the communities they serve. I again wish to state my support for this legislation, as I feel that it will arm our citizens with the information and protection they need and deserve.

Mr. LENT. Mr. Speaker, I rise in support of H.R. 1489, the Pipeline Safety Act of 1992.

This bill extends the authorization of the Natural Gas Pipeline Safety Act of 1968 and the Hazardous Liquid Pipeline Safety Act of 1979.

This bill makes some important substantive changes in the existing laws. Among other things, it provides for environmental protection; enhanced accident prevention, through increased inspection requirements, operator training, and customer notifications; and rulemakings to deal with the use of new technology such as excess flow valves, instrumented internal inspection devices, and emergency flow restricting devices.

It does not change the law in one important respect: The Department of Transportation is given no additional authority to regulate customer-owned service lines where the local distribution company currently does not maintain such lines.

However, to assure the safety of these lines, the Department of Transportation is specifically directed to require customer notification of proper pipeline maintenance, conduct a safety review of current State and Federal regulations in this area, and work with the appropriate State and local authorities to promote the adoption of measures to improve the safety of such lines.

Overall, I believe this is a good bill because it puts our resources to their best use. It focuses on specific safety needs and directs the Department of Transportation to give them priority. It does not mandate excessive regulation where there is not a need for change.

For these reasons, I urge my colleagues to support this bill.

Mr. ROE. Mr. Speaker, I rise in support of H.R. 1489 as amended, the Pipeline Safety Act of 1992. This legislation represents a compromise worked out with our colleagues on the House Energy and Commerce Committee and the Senate Committee on Commerce, Science, and Transportation. I want to thank my colleagues and the leadership of those committees for their cooperation and hard work. I also wish to thank NORM MINETA, chairman of the Subcommittee on Surface Transportation, and BUD SHUSTER, the ranking Republican on that subcommittee and Congressman JOHN PAUL HAMMERSCHMIDT, ranking Republican on the full Committee on Public Works and Transportation, for their leadership on this legislation.

The legislation provides for new initiatives in the pipeline safety programs, with additional emphasis on environmental concerns and technology designed to enhance safety. For example, the new technology is designed to shut down pipelines automatically when a leak occurs. This will be accomplished by the use of excess flow valves in gas pipelines and emergency flow restricting devices in hazardous liquid pipelines.

Section 206 of the bill, as amended, will prohibit any exception from hazardous liquid pipeline safety regulations based solely on the fact that the facility operates at low internal stress. Enactment of this provision will go a long way to prevent incidents such as the oil spill that occurred 150 yards off the New Jersey coast in January 1990, which leaked approximately 567,000 gallons of No. 2 heating oil into the Arthur Kill waterway.

The amendment imposes increased inspection requirements for pipelines that traverse high density areas and environmentally sensitive areas. In addition, customer-owned pipelines are scheduled for a safety review in order to determine the future course of Government responsibility for the safety of those pipelines. The amendment awards no new authority to the Department for the regulation of these pipelines, and it, in no way is meant to limit any authority now held by the Department.

Finally, the amendment makes adjustments in the pipeline safety laws: First, to clarify State enforcement agreements with the Federal Government; second, to amend some procedures at the Department of Transportation; and third, to authorize funds for carrying out the pipeline safety programs.

Title IV of the amendment establishes the Research and Special Programs Administration [RSPA], which currently exists by administrative delegation within the Department of Transportation [DOT], as a statutory administration within the Department on a par with the other statutory administrations such as the Federal Highway Administration.

Title V contains some technical amendments relating to the Hazardous Materials Transportation Act. I would like to make specific comments about section 507. That section is amended to include permitting within its scope. Permitting was inadvertently omitted from section 22 of the Hazardous Materials Transportation Uniform Safety Act of 1990.

The addition of the word "permitting" clarifies the original intent of section 22. Moreover, it allows the committee to reaffirm its strong interest in eliminating duplicative and conflicting State administrative burdens on shippers and motor carriers of hazardous materials, including hazardous substances and hazardous wastes.

The amendment, I believe goes a long way toward the continued enhancement of safety in pipeline transportation, which is, by far, the safest form of transportation in our Nation.

I, therefore, ask my colleagues to join with me in support of this legislation.

Mr. VENTO. Mr. Speaker, I rise in strong support of H.R. 1489, the Pipeline Safety Authorization Act, which amends the Hazardous Liquid and Natural Gas Pipeline Safety Acts to protect public safety.

I want to commend the gentleman from Indiana [Mr. SHARP], as well as the members of both the Energy and Commerce and Public Works and Transportation Committees for their diligent work in bringing this important legislation to the floor today.

Mr. Speaker, in July 1986, the people of Mounds View, MN, in the congressional district which I represent, learned all too well how important pipeline safety is when an underground liquid pipeline carrying gasoline ruptured and exploded. The subsequent fire killed a young mother and her daughter and severely injured another woman.

The National Transportation Safety Board [NTSB] investigation following this tragedy revealed that a significant amount of gasoline had flowed back past the point of the pipeline failure and fed the ensuing fire. That fire could have been limited had this pipeline been equipped with rapid shutoff valves. Instead, a Williams Pipeline Co. employee had to drive 10 miles away to the nearest valve and manually shut down the flow of gasoline in the damaged pipeline.

In the last pipeline safety reauthorization bill that finally passed in 1988, the House included a provision which called upon the Department of Transportation [DOT] to assess the feasibility of requiring the installation of automatic or rapid shutoff valve technology on certain hazardous liquid and natural gas pipelines. The results of that study, which was released by DOT in 1991, found that such technology is available and would also be cost effective.

I am especially pleased that the bill before the House today retains a provision from legislation which I sponsored that calls upon DOT to move forward on requiring the installation of rapid shutoff valves on certain pipelines. Additionally, the bill requires DOD to identify, inventory, and map all natural gas and hazardous liquid pipelines that pass through densely populated areas and hazardous liquid lines that pass through environmentally sensitive areas, such as rivers, lakes, and wetlands. The bill also requires new minimum training standards for pipeline system operators.

H.R. 1489 increases from $10,000 to $25,000 the maximum civil penalty for violations of pipeline requirements. Environmental protection is also designated for the first time as one of the key purposes of the act.

The measure before the House provides additional environmental protection to sensitive areas, streams, rivers, and lakes, as well as special problems in the Gulf of Mexico. The bill authorizes a total of $80.5 million through fiscal year 1995 for pipeline safety activities and assistance, including $28 million over 4 years for DOT activities under the Natural Gas Pipeline Safety Act and $7 million over 4 years for activities under the Hazardous Liquid Pipeline Safety Act. Finally, $45.5 million over 6 years is provided for grants to help cover the costs of State pipeline safety activities—increasing from $5.5 million in fiscal year 1991 to $10 million in fiscal year 1995.

Mr. Speaker, my interest in pipeline safety studies and legislation began in 1982, when environmental problems were experienced by homeowners in Maplewood, MN, and never did I expect the catastrophic events in the 1986 Mounds View, MN, loss of life. I hope that no one else will ever experience what the people of Mounds View, MN, experienced in 1986. This legislation moves in the direction of improving pipeline safety in a cost-effective manner. Our Nation's infrastructure, including its underground pipelines and utilities, are aging and will require significant capital investments for repairs and replacement over coming years. But until that time, we must closely monitor these systems to insure public safety and the protection of the environment and our natural resources. I strongly urge my colleagues to support this vital measure.

Mr. WELDON. Mr. Speaker, I rise today in strong support of H.R. 1489, the Pipeline Safety Act of 1991. First, I would like to commend PHIL SHARP, NORM LENT, JOHN DINGELL, NORM MINETA, BUD SHUSTER, JOHN PAUL HAMMERSCHMIDT, ROBERT ROE, and the many others who worked so hard on this important legislation. Because of their key roles in the development of H.R. 1489, they all deserve special recognition for their devotion to public safety.

As chairman of the congressional fire and emergency services caucus, I know that our natural gas delivery systems, while safe generally, pose potential safety risks for the public. For this reason, I introduced H.R. 977, which would mandate the installation of excess flow valves [EFV] on new or renewed natural gas pipelines that service certain medium and high pressure systems. Although a flexible version of my proposal was incorporated into H.R. 1489 by the Committee on Energy and Commerce, the Committee on Public Works and Transportation further amended this provision.

As you know, an EFV is a safety shutoff device installed by some local natural gas utilities at the time service is first installed or subsequently replaced. These valves are placed underground at the point where the service line connects to the main gas supply, which is located in the street or curb. When set in position, an EFV responds like an electrical circuit breaker. The valve, which is designed to sense a greater than normal flow of gas should the service line leak or rupture, automatically shuts off the gas.

Since 1971, the National Transportation Safety Board [NTSB] has advocated the use of excess flow values to eliminate or minimize damage, injuries, and fatalities caused by natural gas explosions. The NTSB, after some extensive investigations of gas accidents, has determined that a number of explosions could have been prevented by the installation of an EFV. The device costs about the same as a

good home smoke detector, which is about $20. Like electrical fuses or circuit breakers, they are considered to be essential safety devices by the NTSB.

Despite the NTSB's vocal support, EFV's have been widely ignored by both Government and industry. While a few utilities reported some difficulty with EFV's following their introduction many years ago, the problems often resulted from improper installation. Today, those using this technology have had very positive results.

Although H.R. 1489 contains a watered-down version of my legislation, I support this provision, which requires the Department of Transportation [DOT] to issue regulations outlining the circumstances in which excess flow valves must be used. Obviously, I would be surprised and suspicious if the DOT does not find any circumstances at all. Needless to say, I plan to closely follow this process and to take any necessary action.

As a Republican, I am wary of imposing a mandate on any entity. But, because the cost of EFV's is so low, our priority should be consumer safety.

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

Mr. Speaker, first I want to thank the chairman, the gentleman from Massachusetts [Mr. FRANK]. He, along with the gentleman from California [Mr. WAXMAN], have been extraordinarily supportive of this legislation with their staffs for many, many months, and we simply would not be out here if it were not for their commitment to low income people and the advocacy of this cause.

I think the gentlewoman from Connecticut [Mrs. JOHNSON] put it very well, that this legislation is truly bipartisan legislation. The gentlewoman from Connecticut and I have been pursuing this for several years now on a bipartisan basis in discussions with the Justice Department and in discussions with the minority on the Committee on Energy and Commerce, in conjunction with the ranking minority member, the gentleman from California [Mr. DANNEMEYER]. This is truly a bipartisan bill.

I would offer up first to my colleagues that I think this legislation is potentially the bill in this session of Congress to provide for a significant expansion of access to health care for low-income people in this country.

H.R. 3591 will provide malpractice coverage under the Federal Torts Claims Act—the FTCA—to the centers, their officers, and the health care providers they employ. Part-time contractors employed by the centers who provide obstetric services would also be eligible for coverage under the bill.

Under the bill, the centers will pay their anticipated claims costs up front into the federal judgment fund from their annual federal grants. This will be in lieu of paying for private malpractice insurance. Malpractice suits against the centers will be defended by the Justice Department, and the FTCA will be the exclusive remedy for malpractice claims arising from care provided by these centers whether it is the centers, their officers, members of their boards of directors, or their health care providers being sued.

We know that, dollar-for-dollar, the community health clinics are perhaps our best buy for health services in our country. They put a focus on preventive health care with a special emphasis on prenatal care, on obstetrical services, on care for young women, on care for low-income persons who fall between the cracks.

Each year these clinics get over $500 million. Last year it was about $530 million. They paid out about $58 million for malpractice insurance.

What we have found again and again is that these clinics are paying very few, if any, claims. For example, last year in a visit that I made to the Salud Medical Clinic, a short distance from my congressional district, we found that their malpractice insurance rose from $28,000 to about $160,000 in just 1 fiscal year.

What is important about this is not only that they have this dramatic increase in their malpractice insurance, but they had never paid one single claim. They had never had to pay out a claim for malpractice.

So what you have is a situation where the Salud Medical Clinic, the kind of excellent program that the gentlewoman from Connecticut [Mrs. JOHNSON], just mentioned in her district, they are being chewed up in insurance and legal costs, care that could go for low-income persons.

What we believe is that this legislation, as a result of the stipulation that claims would be made against the Government rather than these clinics having to purchase malpractice insurance, will free up about $100 million over the next 3 years that could go to serving patients, and accordingly to the community health clinics. They believe that they will be able to serve with that sum of money about 500,000 additional persons at these clinics each year. So what that means is over the life of this authorization 1,500,000 of our neediest citizens, poor children, poor women, those who are falling between the cracks of our health system would be able to get access to life-line health services, preventive health services, which as the gentlewoman from Connecticut pointed out would be done without any additional cost to the Federal deficit.

There are about 2,000 of these sites nationwide. They serve about 6 million of our neediest citizens. And the evidence is that in addition to being about to serve 500,000 patients more each year, what we believe will happen is that more retired physicians, physicians who want to volunteer and help out in these programs will be able to because they will be covered under this legislation. These clinics will not be jeopardized any further, even though they have a better track record in terms of claims payouts than do private programs. I think this is an example, as the gentlewoman from Connecticut [Mrs. JOHNSON] has indicated, of what can happen when people on both sides of the aisle come together and stop some of the bickering about health care, and actually talk about concrete solutions.

I mentioned a number of the heroes of this legislation, Congressman FRANK, Chairman WAXMAN, NANCY JOHNSON, GEORGE GEKAS, HENRY HYDE at a key point in the Judiciary Committee was invaluable.

Also, I want to thank the staffers who have put many months of effort into this bill: Molly Frantz of Congresswoman JOHNSON's office, David Naimon from Congressman FRANK's subcommittee staff, and Grady Forrer and Josh Kardon of my staff. These guys put a lot of thought, sweat, and hours into this bill, and we would not be here today if not for their heroic efforts.

I think what persons who come to these clinics are ultimately going to say is that this is what health policy is all about. Instead of seeing scarce resources chewed up in unnecessary insurance payments and legal costs, we are going to get this help to people and serving people is what these clinics see their charge is all about, and I want again to thank Chairman FRANK.

Mr. SHARP. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

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

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

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

The SPEAKER pro tempore (Mr. SKAGGS). The question is on the motion offered by the gentleman from Indiana [Mr. SHARP] that the House suspend the rules and pass the bill, H.R. 1489, 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.

Mr. SHARP. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the Senate bill (S. 1583) to amend the Natural Gas Pipeline Safety Act of 1968 and the Hazardous Liquid Pipeline Safety Act of 1979 to authorize appropriations and to improve pipeline safety, and for other purposes, and ask for its immediate consideration.

The Clerk read the title of the Senate bill.

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

There was no objection.

The clerk read the Senate bill, as se follows:

S. 1583

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

SHORT TITLE

SECTION 1. This Act may be cited as the "Pipeline Safety Improvement Act of 1991".

AUTHORIZATION OF APPROPRIATIONS

SEC. 2. (a) NATURAL GAS PIPELINE SAFETY.—Section 17(a) of the Natural Gas Pipeline Safety Act of 1968 (49 App. U.S.C. 1684(a)) is amended—

(1) by striking "and" at the end of paragraph (8);

(2) by striking the period at the end of paragraph (9) and inserting in lieu thereof a semicolon; and

(3) by inserting immediately after paragraph (9) the following new paragraphs:

"(10) $5,562,000 for the fiscal year ending September 30, 1992;

"(11) $5,807,000 for the fiscal year ending September 30, 1993; and

"(12) $6,062,000 for the fiscal year ending September 30, 1994.".

(b) HAZARDOUS LIQUID PIPELINE SAFETY.—Section 214(a) of the Hazardous Liquid Pipeline Safety Act of 1979 (49 App. U.S.C. 2013(a)) is amended—

(1) by striking "and" at the end of paragraph (8);

(2) by striking the period at the end of paragraph (9) and inserting in lieu thereof a semicolon; and

(3) by inserting immediately after paragraph (9) the following new paragraphs:

"(10) $1,391,000 for the fiscal year ending September 30, 1992;

"(11) $1,452,000 for the fiscal year ending September 30, 1993; and

"(12) $1,516,000 for the fiscal year ending September 30, 1994.".

(c) GRANTS-IN-AID.—Section 17(c) of the Natural Gas Pipeline Safety Act of 1968 (49 App. U.S.C. 1684(c)) is amended—

(1) by striking "and" immediately after "1990,"; and

(2) by inserting ", $7,000,000 for the fiscal year ending September 30, 1992, $7,280,000 for the fiscal year ending September 30, 1993, and $7,557,000 for the fiscal year ending September 30, 1994" after "1991".

DEFINITIONS

SEC. 3. (a) NATURAL GAS PIPELINE SAFETY.—Section 2 of the Natural Gas Pipeline Safety Act of 1968 (49 App. U.S.C. 1671) is amended—

(1) by striking "and" at the end of paragraph (16);

(2) by striking the period at the end of paragraph (17) and inserting in lieu thereof "; and"; and

(3) by adding at the end the following new paragraph:

"(18) 'Environmentally sensitive areas' shall be as defined by the Secretary and shall include, at a minimum—

"(A) earthquake zones and areas subject to substantial ground movements such as landslides;

"(B) areas where ground water contamination would be likely in the event of the rupture of a pipeline facility;

"(C) freshwater lakes, rivers, and waterways; and

"(D) river deltas and other areas subject to soil erosion or subsidence from flooding or other water action, where pipeline facilities are likely to become exposed or undermined, except to the extent that the Secretary finds that such inclusion will not contribute substantially to public safety or to the protection of the environment.".

(b) HAZARDOUS LIQUID PIPELINE SAFETY.—Section 202 of the Hazardous Liquid Pipeline Safety Act of 1979 (49 App. U.S.C. 2001) is amended—

(1) by striking "and" at the end of paragraph (10);

(2) by striking the period at the end of paragraph (11) and inserting in lieu thereof "; and"; and

(3) by adding at the end the following new paragraph:

"(12) 'environmentally sensitive areas' shall be as defined by the Secretary and shall include, at a minimum—

"(A) earthquake zones and areas subject to substantial ground movements such as landslides;

"(B) areas where ground water contamination would be likely in the event of the rupture of a pipeline facility;

"(C) freshwater lakes, rivers, and waterways; and

"(D) river deltas and other areas subject to soil erosion or subsidence from flooding or other water action, where pipeline facilities are likely to become exposed or undermined.".

ENVIRONMENTAL PROTECTION

SEC. 4. (a) NATURAL GAS PIPELINE SAFETY.—Section 3(a) of the Natural Gas Pipeline Safety Act of 1968 (49 App. U.S.C. 1672(a)) is amended—

(1) in paragraph (1), by inserting "and the protection of the environment" immediately after "need for pipeline safety";

(2) in paragraph (1)(D), by inserting "and the protection of the environment" immediately after "contribute to public safety"; and

(3) in paragraph (3)(A), by inserting ", or that could have a significant adverse impact on the natural environment" immediately after "life or property".

(b) HAZARDOUS LIQUID PIPELINE SAFETY.—Section 203 of the Hazardous Liquid Pipeline Safety Act of 1979 (49 App. U.S.C. 2002) is amended—

(1) in subsection (a)(1), by inserting "and the protection of the environment" immediately after "safe transportation of hazardous liquids";

(2) in subsection (a)(2)(A), by inserting ", or that could have a significant adverse impact on the natural environment" immediately after "life or property"; and

(3) in subsection (b)(4), by inserting "and the protection of the environment" immediately after "contribute to public safety".

IDENTIFICATION OF CERTAIN PIPELINES

SEC. 5. (a) NATURAL GAS PIPELINE SAFETY.—Section 3(e)(2) of the Natural Gas Pipeline Safety Act of 1968 (49 App. U.S.C. 1672(e)(2)) is amended by adding at the end the following: "Such map or maps shall, not later than 12 months after the date of enactment of the Pipeline Safety Improvement Act of 1991, identify—

"(A) all pipeline facilities located in or immediately adjacent to environmentally sensitive areas, or in or immediately adjacent to incorporated or unincorporated cities, towns, or villages; and

"(B) all pipelines constructed before calendar year 1971.".

(b) HAZARDOUS LIQUID PIPELINE SAFETY.—Section 203(i)(2) of the Hazardous Liquid Pipeline Safety Act of 1979 (49 App. U.S.C. 2002(i)(2)) is amended by adding at the end the following new sentence: "Such map or maps shall, not later than 12 months after the date of enactment of the Pipeline Safety Improvement Act of 1991, identify—

"(A) all pipeline facilities located in or immediately adjacent to environmentally sensitive areas, or in or immediately adjacent to incorporated or unincorporated cities, towns, or villages; and

"(B) all pipelines constructed before calendar year 1971.".

RAPID SHUTDOWN OF PIPELINE FACILITIES

SEC. 6. Section 203 of the Hazardous Liquid Pipeline Safety Act of 1979 (49 App. U.S.C. 2002) is amended by adding at the end the following new subsection:

"(m) RAPID SHUTDOWN OF PIPELINE FACILITIES.—The Secretary shall, within 24 hours after the date of enactment of this subsection, survey and assess the effectiveness of procedures, systems, and equipment used to detect and locate pipeline ruptures and minimize product releases from pipeline facilities. The Secretary shall, within 12 months after the completion of such survey and assessment, issue regulations to establish standards for, and to require to the maximum extent practicable, procedures, systems, and equipment for as rapidly as possible—

"(1) detecting and locating ruptures of pipelines; and

"(2) shutting down those pipeline facilities, located in or immediately adjacent to environmentally sensitive areas, or in or immediately adjacent to incorporated or unincorporated cities, towns, or villages, posing an imminent risk to such areas or such cities, towns, or villages.".

EXCESS FLOW VALVES

SEC. 7. (a) REGULATIONS AND STANDARDS.—Section 3 of the Natural Gas Pipeline Safety Act of 1968 (49 App. U.S.C. 1672) is amended by adding at the end the following new subsection:

"(i) EXCESS FLOW VALVES.—

"(1) REGULATIONS.—Not later than 18 months after the date of enactment of this subsection, the Secretary shall issue regulations to require operators of natural gas distribution systems to install, where it would be technically feasible and would enhance public safety, excess flow valves in new or renewed gas service lines. Such regulations shall be effective upon issuance.

"(2) PERFORMANCE STANDARDS.—Not later than 18 months after the date of enactment of this subsection, the Secretary shall develop standards for the performance of excess flow valves used to protect service lines in natural gas distribution systems. Such standards shall be incorporated into any regulations issued by the Secretary to require the use of excess flow valves. For cases where excess flow valves are in use but are not required to be used under such regulations, the Secretary shall publish such standards as guidance for State agencies which have filed certifications in accordance with section 5(a), and for operators of natural gas distribution systems.".

(b) STUDY.—The Secretary of Transportation shall undertake a study to evaluate the use of excess flow valves to improve safety in natural gas distribution systems. The study shall at a minimum include an assessment of the findings of the Gas Research Institute on the issue. The results of the study shall be used by the Secretary in the development of the performance standards for the use of excess flow valves under subsection (i) of section 3 of the Natural Gas Pipeline Safety Act of 1968 (49 App. U.S.C. 1672), as added by subsection (a) of this section.

REPLACEMENT OF CAST IRON PIPELINES

SEC. 8. Section 13 of the Natural Gas Pipeline Safety Act of 1968 (49 App. U.S.C. 1680) is

amended by adding at the end the following new subsection:

"(c) REPLACEMENT OF CAST IRON PIPELINES.—The Secretary shall publish a notice as to the availability of the industry guidelines, developed by the Gas Piping Technology Committee, for the replacement of cast iron pipelines. Within 2 years after the industry guidelines become available, the Secretary shall conduct a survey of operators with cast iron pipe in their systems to determine the extent to which each operator has adopted a plan for the safe management and replacement of cast iron, the elements of the plan, including anticipated rate of replacement, and the progress that has been made. Chapter 35 of title 44, United States Code (relating to coordination of Federal information policy), shall not apply to the conduct of such survey. Nothing in this section shall preclude the Secretary from developing such Federal guidelines or regulations with respect to cast iron pipelines as the Secretary deems appropriate.".

SAFETY OF PIPE NOT OWNED BY PIPELINE OPERATORS

SEC. 9. Section 3 of the Natural Gas Pipeline Safety Act of 1968 (49 App. U.S.C. 1672), as amended by section 7 of this Act, is further amended by adding at the end the following new section:

"(j) PIPE NOT OWNED BY OPERATORS.—The Secretary shall conduct a rulemaking to ensure the safety of pipe owned by residential and small commercial non-operators of pipelines, including, as appropriate, requirements that the distribution companies serving such customers assume responsibility for the operation and maintenance of such lines up to the outlet of the meter or the building wall, whichever is further downstream.".

ONE-CALL NOTIFICATION SYSTEMS

SEC. 10. (a) CIVIL PENALTY.—(1) Section 20 of the Natural Gas Pipeline Safety Act of 1968 (49 App. U.S.C. 1687) is amended by adding at the end the following new subsection:

"(g) VIOLATION.—It shall be a violation of this Act for any person, prior to excavating with power operated equipment (other than for routine agricultural purposes)—

"(1) to knowingly fail to use an appropriate one-call notification system to determine the location of underground pipeline facilities in the area being excavated; and

"(2) thereafter in the course of such excavation to damage a natural gas or hazardous liquid pipeline facility with the result that there is a pipeline incident required to be reported to the Secretary under this Act or the Hazardous Liquid Pipeline Safety Act.".

(2) Section 11(a)(1) of the Natural Gas Pipeline Safety Act of 1968 (49 App. U.S.C. 1679a(a)(1)) is amended by inserting "or section 20(g)," immediately after "section 10(a)".

(b) NOTIFICATION OF OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION.—(1) Section 15 of the Natural Gas Pipeline Safety Act of 1968 (49 App. U.S.C. 1682) is amended by adding at the end the following new subsection:

"(e) The Secretary shall, in consultation with the Occupational Safety and Health Administration, establish procedures to notify such Administration of any pipeline accidents in which excavators causing damage to the pipeline may have violated such Administration's regulations.".

(2) Section 212 of the Hazardous Liquid Pipeline Safety Act of 1979 (49 App. U.S.C. 2011) is amended by adding at the end the following new subsection:

"(e) The Secretary shall, in consultation with the Occupational Safety and Health Administration, establish procedures to notify such Administration of any pipeline accidents in which excavators causing damage to the pipeline may have violated such Administration's regulations.".

UNDERWATER ABANDONED PIPELINE FACILITIES

SEC. 11. (a) NATURAL GAS PIPELINE SAFETY.—Section 3(h) of the Natural Gas Pipeline Safety Act of 1968 (49 App. U.S.C. 1672(h)) is amended by adding at the end the following new paragraph:

"(5) ABANDONED PIPELINE FACILITIES.—

"(A) GENERAL RULE.—For the purposes of this subsection, except with respect to the initial inspection required under paragraph (1), the term 'pipeline facilities' includes underwater abandoned pipeline facilities. For the purposes of this subsection, in a case where such a pipeline facility has no current operator, the most recent operator of such pipeline facility shall be deemed to be the operator of such pipeline facility.

"(B) REGULATIONS.—(i) In issuing regulations under paragraph (3), the Secretary shall identify what constitutes a hazard to navigation with respect to underwater abandoned pipeline facilities.

"(ii) In issuing regulations under paragraphs (3) and (4) regarding underwater pipeline facilities abandoned after the date of enactment of this subsection, the Secretary shall—

"(I) include such requirements as will lessen the potential that such pipeline facilities will pose a hazard to navigation; and

"(II) take into consideration the relationship between water depth and navigational safety and factors relevant to the local marine environment.

"(C) REPORTING REQUIREMENTS.—(i) The operator of a pipeline facility abandoned after the date of enactment of this subsection shall report such abandonment to the Secretary in a manner specifying that the facility has been properly abandoned according to applicable Federal and State requirements.

"(ii) Within 30 months after the date of enactment of this subsection, the operator of a pipeline facility abandoned before the date of enactment of this subsection shall report to the Secretary reasonably available information, including information in the possession of third parties, relating to the abandoned pipeline facility. Such information shall include the location, size, date, and method of abandonment, whether the pipeline had been properly purged and sealed when abandoned, and such other relevant information as the Secretary may require. The Secretary shall, within 1 year after the date of enactment of this subsection, specify the manner in which such information shall be reported.

"(iii) The Secretary shall ensure that the information reported under clause (ii) is maintained by the Federal Government in a manner accessible to the appropriate Federal and State agencies.

"(iv) The Secretary shall request that State agencies which have information on collisions between vessels and underwater pipeline facilities report such information to the Secretary in a timely manner and make a reasonable effort to specify the location, date, and severity of such collisions. Chapter 35 of title 44, United States Code, relating to coordination of Federal information policies, shall not apply to the collection of information under this clause.

"(D) DEFINITION.—For purposes of this paragraph, the term 'abandoned' means permanently removed from service.".

"(b) HAZARDOUS LIQUID PIPELINE SAFETY.—Section 203(l) of the Hazardous Liquid Pipeline Safety Act of 1979 (49 App. U.S.C. 2002(l)) is amended by adding at the end the following new paragraph:

"(5) ABANDONED PIPELINE FACILITIES.—

"(A) GENERAL RULE.—For the purposes of this subsection, except with respect to the initial inspection required under paragraph (1), the term 'pipeline facilities' includes underwater abandoned pipeline facilities. For the purposes of this subsection, in a case where such a pipeline facility has no current operator, the most recent operator of such pipeline facility shall be deemed to be the operator of such pipeline facility.

"(B) REGULATIONS.—(i) In issuing regulations under paragraph (3), the Secretary shall identify what constitutes a hazard to navigation with respect to underwater abandoned pipeline facilities.

"(ii) In issuing regulations under paragraphs (3) and (4) regarding underwater pipeline facilities abandoned after the date of enactment of this subsection, the Secretary shall—

"(I) include such requirements as will lessen the potential that such pipeline facilities will pose a hazard to navigation; and

"(II) take into consideration the relationship between water depth and navigational safety and factors relevant to the local marine environment.

"(C) REPORTING REQUIREMENTS.—(i) The operator of a pipeline facility abandoned after the date of enactment of this subsection shall report such abandonment to the Secretary in a manner specifying that the facility has been properly abandoned according to applicable Federal and State requirements.

"(ii) Within 30 months after the date of enactment of this subsection, the operator of a pipeline facility abandoned before the date of enactment of this subsection shall report to the Secretary reasonably available information, including information in the possession of third parties, relating to the abandoned pipeline facility. Such information shall include the location, size, date, and method of abandonment, whether the pipeline had been properly purged and sealed when abandoned, and such other relevant information as the Secretary may require. The Secretary shall, within 1 year after the date of enactment of this subsection, specify the manner in which such information shall be reported.

"(iii) The Secretary shall ensure that the information reported under clause (ii) is maintained by the Federal Government in a manner accessible to the appropriate Federal and State agencies.

"(iv) The Secretary shall request that State agencies which have information on collisions between vessels and underwater pipeline facilities report such information to the Secretary in a timely manner and make a reasonable effort to specify the location, date, and severity of such collisions. Chapter 35 of title 44, United States Code, relating to coordination of Federal information policies, shall not apply to the collection of information under this clause.

"(D) DEFINITION.—For purposes of this paragraph, the term 'abandoned' means permanently removed from service.".

STUDY OF UNDERWATER ABANDONED PIPELINE FACILITIES

SEC. 12. (a) STUDY.—The Secretary of Transportation, in consultation with State and other Federal agencies having authority over underwater natural gas and hazardous liquid pipeline facilities, with pipeline owners and operators, with the fishing and maritime industries, and with other affected groups, shall undertake a study of the aban-

donment of such pipeline facilities. Such study shall include—

(1) a survey of Federal policies and authorities with respect to abandonment of such pipeline facilities;

(2) an analysis of whether abandonment in place should be discontinued;

(3) an analysis of the extent and nature of the problems currently caused by such pipeline facilities;

(4) an analysis of alternative methods and requirements for abandonment, as well as the relevant costs and other factors associated with those alternative methods and requirements;

(5) an analysis of the navigational safety, environmental impacts, and economic costs associated with the disposition of pipeline facilities permanently removed from service;

(6) an analysis of various factors associated with retroactively imposing requirements on previously abandoned pipeline facilities; and

(7) other matters as may contribute to the development of a recommendation for Federal action.

(b) REPORT TO CONGRESS.—Not later than 18 months after the date of enactment of this Act, the Secretary of Transportation shall submit a report to Congress on the results of such study, together with a recommendation for Federal action.

(c) ADDITIONAL AUTHORITY.—Based on the findings of such study, the Secretary of Transportation may by regulation require operators of pipeline facilities abandoned before November 16, 1990, to take any additional appropriate actions to prevent hazards to navigation in connection with such facilities.

TECHNICAL CORRECTION

SEC. 13. Section 106(c)(1)(C) of the Hazardous Materials Transportation Act (49 App. U.S.C. 1805(c)(1)(C)) is amended by inserting ", in other than bulk packaging," immediately after "commerce".

EXEMPTION FROM HOURS OF SERVICE REQUIREMENTS

SEC. 14. The Secretary of Transportation shall exempt farmers and retail farm suppliers from the hours of service requirements contained in section 395.3 of title 49, Code of Federal Regulations, when such farmers and retail farm suppliers are transporting farm supplies for agricultural purposes within a 50-mile radius of their distribution point during the crop-planting season.

MOTION OFFERED BY MR. SHARP

Mr. SHARP. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. SHARP moves that the House strike all after the enacting clause of the Senate bill S. 1583, and insert in lieu thereof the provisions of H.R. 1489, as passed by the House.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Indiana Mr. [SHARP].

The motion was agreed to.

The Senate bill was ordered to be read a third time, as read the third time, and passed.

The title of the Senate bill was amended so as to read: "A bill to increase the safety to humans and the environment from the transportation by pipeline of natural gas and hazardous liquids, and for other purposes."

A motion to reconsider was laid on the table.

A similar House bill (H.R. 1489) was laid on the table.

□ 1700

FEDERALLY SUPPORTED HEALTH CENTERS ASSISTANCE ACT OF 1992

Mr. FRANK of Massachusetts. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3591) to amend the Public Health Service Act to provide protections from legal liability for certain health care professionals providing services pursuant to such act, as amended.

The Clerk read as follows:

H.R. 3591

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

SECTION 1. SHORT TITLE.

This Act may be cited as the "Federally Supported Health Centers Assistance Act of 1992".

SEC. 2. LIABILITY PROTECTIONS FOR CERTAIN HEALTH CARE PROFESSIONALS.

(a) IN GENERAL.—Section 224 of the Public Health Service Act (42 U.S.C. 233) is amended by adding at the end the following new subsection:

"(g)(1) For purposes of this section, an entity described in paragraph (4) and any officer, employee, or contractor (subject to paragraph (5)) of such an entity who is a physician or other licensed or certified health care practitioner shall be deemed to be an employee of the Public Health Service for a calendar year that begins during a fiscal year for which a transfer was made under subsection (k)(3) (subject to paragraph (3)).

"(2) If, with respect to an entity or person deemed to be an employee for purposes of paragraph (1), a cause of action is instituted against the United States pursuant to this section, any claim of the entity or person for benefits under an insurance policy with respect to medical malpractice relating to such cause of action shall be subrogated to the United States.

"(3) This subsection shall apply with respect to a cause of action arising from an act or omission which occurs on or after January 1, 1993. This subsection shall not apply with respect to a cause of action arising from an act or omission which occurs on or after January 1, 1996.

"(4) An entity described in this paragraph is a public or non-profit private entity receiving Federal funds under any of the following grant programs:

"(A) Section 329 (relating to grants for migrant health centers).

"(B) Section 330 (relating to grants for community health centers).

"(C) Section 340 (relating to grants for health services for the homeless).

"(D) Section 340A (relating to grants for health services for residents of public housing).

"(5) For purposes of paragraph (1), an individual may be considered a contractor of an entity described in paragraph (4) only if—

"(A) the individual normally performs on average at least 32 1/2 hours of service per week for the entity for the period of the contract; or

"(B) in the case of an individual who normally performs on average less than 32 1/2 hours of services per week for the entity for the period of the contract and is a licensed or certified provider of obstetrical services—

"(i) the individual's medical malpractice liability insurance coverage does not extend to services performed by the individual for the entity under the contract, or

"(ii) the Secretary finds that patients to whom the entity furnishes services will be deprived of obstetrical services if such individual is not considered a contractor of the entity for purposes of paragraph (1).".

(b) REQUIREMENT OF APPROPRIATE POLICIES AND PROCEDURES REGARDING HEALTH CARE PROFESSIONALS.—Section 224 of the Public Health Service Act, as amended by subsection (a), is further amended by adding at the end the following new subsection:

"(h) The Secretary may not make a grant under this Act to an entity described in subsection (g)(4) unless the entity—

"(1) has implemented appropriate policies and procedures to reduce the risk of malpractice and the risk of lawsuits arising out of any health or health-related functions performed by the entity;

"(2) has reviewed and verified the professional credentials, references, claims history, fitness, professional review organization findings, and license status of its physicians and other licensed or certified health care practitioners, and, where necessary, has obtained the permission from these individuals to gain access to this information;

"(3) has no history of claims having been filed against it or against its officers, employees, or contractors as provided for under this section, or, if such a history exists, has fully cooperated with the Attorney General in defending against any such claims and either has taken, or will take, any necessary corrective steps to assure against such claims in the future; and

"(4) has fully cooperated with the Attorney General in providing information relating to an estimate described under subsection (k).".

(c) AUTHORIZATION FOR THE ATTORNEY GENERAL TO EXCLUDE CERTAIN HEALTH CARE PROFESSIONALS FROM COVERAGE.—Section 224 of the Public Health Service Act, as amended by subsections (a) and (b), is further amended by adding at the end the following new subsection:

"(i)(1) Notwithstanding subsection (g)(1), the Attorney General, in consultation with the Secretary, may determine, after notice and opportunity for a hearing, that an individual physician or other licensed or certified health care practitioner who is an officer, employee, or contractor of an entity described in subsection (g)(4) shall not be deemed to be an employee of the Public Health Service for purposes of this section, if treating such individual as such an employee would expose the Government to an unreasonably high degree of risk of loss because such individual—

"(A) does not comply with the policies and procedures that the entity has implemented pursuant to subsection (h)(1);

"(B) has a history of claims filed against him or her as provided for under this section that is outside the norm for licensed or certified health care practitioners within the same specialty;

"(C) refused to reasonably cooperate with the Attorney General in defending against any such claim;

"(D) provided false information relevant to the individual's performance of his or her duties to the Secretary, the Attorney General, or an applicant for or recipient of funds under this Act; or

"(E) was the subject of disciplinary action taken by a State medical licensing authority or a State or national professional society.

"(2) A final determination by the Attorney General under this subsection that an indi-

vidual physician or other licensed or certified health care professional shall not be deemed to be an employee of the Public Health Service shall be effective upon receipt by the entity employing such individual of notice of such determination, and shall apply only to acts or omissions occurring after the date such notice is received.".

SEC. 3. HOSPITAL ADMITTING PRIVILEGES FOR CERTAIN HEALTH CARE PROVIDERS.

Section 224 of the Public Health Service Act, as amended by section 2, is further amended by adding at the end the following new subsection:

"(j) In the case of a health care provider who is an officer, employee, or contractor of an entity described in subsection (g)(4), section 335(e) shall apply with respect to the provider to the same extent and in the same manner as such section applies to any member of the National Health Service Corps.".

SEC. 4. PAYMENT OF JUDGMENTS.

Section 224 of the Public Health Service Act, as amended by sections 2 and 3, is further amended by adding at the end the following new subsection:

"(k)(1)(A) For each of the fiscal years 1993, 1994, and 1995, the Attorney General, in consultation with the Secretary, shall estimate by the beginning of the year (except that an estimate shall be made for fiscal year 1993 by December 31, 1992, subject to an adjustment within 90 days thereafter) the amount of all claims which are expected to arise under this section (together with related fees and expenses of witnesses) from the acts or omissions, during the calendar year that begins during that fiscal year, of entities described in subsection (g)(4) and of officers, employees, or contractors (subject to subsection (g)(5)) of such entities.

"(B) The estimate under subparagraph (A) shall take into account—

"(i) all claims for damage for personal injury, including death, resulting from the performance of medical, surgical, dental, or related functions by entities described in subsection (g)(4) or by officers, employees, or contractors (subject to subsection (g)(5)) of such entities who are deemed to be employees of the Public Health Service under subsection (g)(1) that, during the preceding 5-year period, are filed under this section or, with respect to years occurring before this subsection takes effect, are filed against persons other than the United States, and

"(ii) the amounts paid during that 5-year period on all claims described in clause (i), regardless of when such claims were filed.

"(2) For each of the fiscal years 1993, 1994, and 1995, the Secretary shall withhold from the total amount appropriated for the fiscal year for each of the grant programs described in paragraph (4) of subsection (g) an amount equal to the amount estimated under paragraph (1) that is attributable to entities receiving funds under such grant program.

"(3) The total amount withheld under paragraph (2) for a fiscal year shall be transferred not later than the December 31 that occurs during the fiscal year to the appropriate accounts in the Treasury in order for payments to be made for judgments against the United States (together with related fees and expenses of witnesses) pursuant to this section arising from the acts or omissions of entities described in subsection (g)(4) and of officers, employees, or contractors (subject to subsection (g)(5)) of such entities.".

SEC. 5. REPORT ON RISK EXPOSURE OF COVERED ENTITIES.

(a) IN GENERAL.—Not later than April 1, 1995, the Attorney General, in consultation with the Secretary of Health and Human Services (hereafter referred to as the "Secretary"), shall submit a report to Congress on the medical malpractice liability claims experience of entities subject to section 224(g) of the Public Health Service Act (as added by section 2(a)) and the risk exposure associated with such entities.

(b) EFFECT OF LIABILITY PROTECTIONS ON COSTS INCURRED BY COVERED ENTITIES.—The Attorney General's report under subsection (a) shall include an analysis by the Secretary comparing—

(1) the Secretary's estimate of the aggregate amounts that such entities (together with the officers, employees, and contractors of such entities who are subject to section 224(g) of such Act) would have directly or indirectly paid to obtain medical malpractice liability insurance coverage had section 224(g) of the Public Health Service Act not been enacted into law, with

(2) the aggregate amounts by which the grants received by such entities under the Public Health Service Act were reduced as a result of the enactment of section 224(k)(2) of such Act.

SEC. 6. EFFECTIVE DATE.

The amendments made by this Act shall take effect on the date of the enactment of this Act.

The SPEAKER pro tempore (Mr. SKAGGS). Pursuant to the rule, the gentleman from Massachusetts [Mr. FRANK] will be recognized for 20 minutes, and the gentleman from California [Mr. DANNEMEYER] will be recognized for 20 minutes.

The Chair recognizes the gentleman from Massachusetts [Mr. FRANK].

Mr. FRANK of Massachusetts. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I would think that Members would look at the two Members in charge of this bill and they would very likely figure that they are going to fit somewhere in the middle and before it, so I do not anticipate a great deal of disagreement.

Mr. Speaker, I would point out that this came to my attention through the efforts of the gentleman from Oregon [Mr. WYDEN], to whom I will yield 10 minutes on behalf of the Committee on Energy and Commerce, which in this bill is in one of its more cooperative moods.

What the gentleman from Oregon pointed out was that the neighborhood health centers were paying a large amount of money compared to their total budget for malpractice insurance. There has been a great deal of discussion about how we can reduce legal costs in this society. I think that the Committee on the Judiciary and the Committee on Energy and Commerce, with the gentleman from Pennsylvania [Mr. GEKAS], the ranking Republican member of the Committee on the Judiciary, and myself and the people in the Committee on Energy and Commerce, aided by the work of the gentleman from Oregon [Mr. WYDEN] and the gentlewoman from Connecticut [Mrs. JOHNSON], have come up with a way that will substantially reduce legal costs without in any way depriving anyone of his or her rights.

The neighborhood health centers have doctors who are not full-time Federal employees. They have been forced to pay very high premiums for malpractice insurance. We decided after conversations that the best way to deal with this was to extend to these people coverage under the Federal Tort Claims Act. Under the Federal Tort Claims Act, malpractice suits can be brought and they are brought under the law of the State in which the allegation is made, but there are no punitive damages and no jury trials, and the Federal Government is a self-insurer.

As a consequence of all this, we believe that the national program of neighborhood health centers will save a very significant amount of money. I believe it is something like $11 million will probably be available. That is what we are doing here. We are paying the cost of the Federal charges out of their budget but saving them thereby the need to pay for private malpractice insurance. It is, I think, a very good example of how we can creatively reduce legal costs.

I am grateful to, among others, the gentleman from Oregon [Mr. WYDEN] and the gentlewoman from Connecticut [Mrs. JOHNSON] for bringing this to our attention and for working with us, and I appreciate the cooperation we have received, after some skepticism, from the Civil Division of the Department of Justice, because they also worked with us, and we were able to come up with, I think, a very good consensus bill.

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

Mr. FRANK of Massachusetts. I yield to the gentleman from Pennsylvania.

Mr. GEKAS. Mr. Speaker, the gentleman in his last statement said what I want to bring out, a recognition of the Department of Justice and the Secretary of Health and Human Services, who believe, with us, that this is very workable.

Mr. FRANK of Massachusetts. Mr. Speaker, I appreciate the gentleman's comments, but I did not want to mention the Secretary of Health and Human Services because I did not want to trample upon the jurisdiction of the Committee on Energy and Commerce.

Mr. GEKAS. Mr. Speaker, if the gentleman would continue to yield, I would ask the gentleman what he is doing there and I am doing here. I would ask him what happened with this legislation. It is now cross-questioned with the Committee on Energy and Commerce, is that correct?

Mr. FRANK of Massachusetts. Mr. Speaker, I would respond to the gentleman that yes, it is, because it was jointly referred to the Committee on Energy and Commerce, and I think Members just thought that the natural way to present this was with myself

and the gentleman from California [Mr. DANNEMEYER], that being the obvious way they would want to present this.

Mr. GEKAS. If the gentleman would continue to yield, Mr. Speaker, I have no objection. I thank the gentleman for his comments, and I will ask for additional time to speak further on this subject from the gentleman on this side.

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

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

Mr. Speaker, I rise in support of this legislation. It will, I think, do a sensible thing in the sense that taxpayers' dollars will be more available for services to persons who come into health care centers, rather than paying premiums on the medical malpractice insurance. For once Government, I think, is doing the correct thing.

We have some members of the House who have been very instrumental in developing this legislation. One of them is here.

Mr. Speaker, I yield 3 minutes to my colleague, the gentlewoman from Connecticut [Mrs. JOHNSON]. If she needs additional time, I think we can arrange that.

Mrs. JOHNSON of Connecticut. Mr. Speaker, I thank my colleague, the gentleman from California [Mr. DANNEMEYER] for yielding time to me.

Mr. Speaker, it is really a pleasure to be here on the floor with so many who have worked so long and so hard for, in a sense, a very small bill to come to the attention of the House and I think be passed and ultimately signed by the President.

This may be the only real health care reform bill we pass this year, and if it is, it at least is exactly the kind of bill that ought to receive our first attention. First of all, it better uses existing resources. Instead of wasting money on millions and millions of dollars of malpractice premiums for our community health centers, it frees those dollars to provide direct care for thousands, hundreds of thousands of women and children who have no other access to health care, so we not only are going to expand access to care, but for those who most need it.

In Connecticut our community health centers are doing an admirable job of providing health care for those who have been unemployed, and particularly for those who have been unemployed so long that they have lost any other access to health care.

We need as a Congress to improve the funding for the publicly funded infrastructure that provides that back-up for all of us, that is able to provide care on an income-related basis, on a sliding scale fee basis, so that in fact it can serve, really, the great body of Americans in those areas where it needs to.

This is the right kind of legislation, and it has come to life in the right way. I want to thank my colleagues from the Committee on the Judiciary, the gentleman from Massachusetts [Mr. FRANK], the gentleman from Pennsylvania [Mr. GEKAS], the gentleman from Illinois [Mr. HYDE], and many other members of the Committee on the Judiciary who have worked hard to help us deal with some of the implications of the Federal Government taking on tort liability for non-Federal employees.

I particularly want to thank my colleague, the gentleman from Oregon [Mr. WYDEN], without whose constant care and attention this bill certainly would not be here today, for his endless advocacy and deep concern, and for the help of the gentleman from California [Mr. DANNEMEYER] and the other gentleman from California [Mr. WAXMAN] from the Committee on Energy and Commerce, and the good will of so many on both of these committees.

We do have a chance here today to act on legislation that is going to make a very real, concrete, palpable difference in access to health care for thousands and thousands of Americans.

I also want to recognize the hard work of Stuart Gerson, Assistant Attorney General of the Department of Justice, because many times when others perhaps on his side were not excited about this bill, he was willing to work through ideas, possibilities, alternatives, and in fact the bill is a better bill because of his concern for quality assurance programs that would minimize the possibility of malpractice among the physicians that so nobly and ably serve in our community health centers.

I also want to thank many staffers associated with all of us: Grady Forrer and Josh Karden, and Molly Franz, Ray Smietanka, and David Naimon. We certainly could not have carried through the long discussions and negotiations that brought this bill to life without their help.

I thank my colleagues, and I ask the support of the body.

Mr. DANNEMEYER. Mr. Speaker, I yield 3 minutes to the gentleman from Pennsylvania [Mr. GEKAS].

Mr. GEKAS. Mr. Speaker, I thank the gentleman for yielding the time. I simply want to add to the list of congratulations that have already been offered.

When NANCY JOHNSON, our colleague, first came to me on this issue, when they knew that we in the Judiciary Committee had the responsibility of trying to find a solution to a rather vexing problem, we began to wrestle around with physicians' fees, if you will recall, and some other methodologies to try to clamp down on the cost of insurance, et cetera. When we finally came up with the idea that now has formed a part of the bill, we looked to the staff of the gentleman from Massachusetts [Mr. FRANK] and my own with Ray Smietanka, the gentleman from Oregon [Mr. WYDEN], and the gentlewoman from Connecticut [Mrs. JOHNSON]. And as the gentleman from California said in his opening remarks, we made government work through our committee staff in trying to solve this particular problem.

What has happened now is that health centers with which we have checked are very happy about the prospect of having additional funds for their various purposes without having to worry about money that goes down the black hole that is insurance premiums. So we have done a service not just to the committee process in trying to find innovative ways in which to solve a problem, but actually have caused a result which health centers themselves can use for further benefit for their charges.

I too am very happy about the result here, and will hope for a unanimous adoption of this bill.

Mr. GOSS. Mr. Speaker, we all know that health care costs are skyrocketing, effectively outpricing millions of Americans who need basic medical care, but Congress has stood by, watching the costs bankrupt families and individuals across the country. However, yesterday, we scored a victory over waste and mismanagement by passing legislation (H.R. 3591) which would protect health care professionals working in community or migrant health centers from legal liability. The legislation we sent to the Senate would cover health care professionals in the centers under the Federal Tort Claims Act. As a proud cosponsor of this bill, I know the amazing work community health care centers accomplish every day. Malpractice costs are tying their hands and forcing these community-based, sliding-fee clinics to cut back on services. Malpractice premium costs are rising 30 and 40 percent every year. The costs are the same in the private sector, but community health care centers cannot pass on the added costs to patients, because these patients are receiving services on an ability-to-pay basis already. Low-income patients have been perceived as high risk even though the community health centers pay malpractice premiums almost 15 times more than the amount paid out by insurers on claims against the clinics.

In my own district, family health centers provide services in three locations. Even though not one lawsuit had been filed in over the past 4 years these health centers paid over $685,000 in malpractice premiums. These centers expect to pay another $229,000 this year. These are wasted dollars which are going down a black hole when they could be providing desperately needed primary health care services to medically underserved populations. I applaud our legislative initiative, for if this bill passes the Senate and is signed by the President, the $58 million currently being spent on malpractice premiums in community and migrant health centers across the country, could be used to serve an additional 500,000 patients. This is a prime example of waste and mismanagement in our current system, but

covering these health care workers under the Federal Tort Claims Act will halt this drain on a vital health care delivery system. Because family health centers know the community best, they are able to serve the community best. I am gratified that we have taken steps to allow them to do their job, for it takes real leadership to find a cure to a problem as complex as our health care crisis. I only wish the community and migrant health centers could write a prescription for the rest of the country.

Mr. DANNEMEYER. Mr. Speaker, we have no further requests for time, and I yield back the balance of my time.

Mr. FRANK of Massachusetts. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

The SPEAKER pro tempore (Mr. SKAGGS). The question is on the motion offered by the gentleman from Massachusetts [Mr. FRANK] that the House suspend the rules and pass the bill, H.R. 3591, 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. FRANK of Massachusetts. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on H.R. 3591, the bill just passed.

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

There was no objection.

COOPERATIVE AGREEMENT WITH WILLIAM O. DOUGLAS OUTDOOR CLASSROOM

Mr. VENTO. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 5534) to authorize the Secretary of the Interior to enter into a cooperative agreement with the William O. Douglas Outdoor Classroom as amended.

The Clerk read as follows:

H.R. 5534

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

SECTION 1. COOPERATIVE AGREEMENTS.

(a) IN GENERAL.—(1) The Secretary of the Interior, acting through the Director of the National Park Service, is hereby authorized to enter into one or more cooperative agreements as specified in paragraph (2) that meet the requirements of subsection (b).

(2) The cooperative agreements authorized by this Act are:

(A)(i) with appropriate organizations or groups, on the basis of equal-dollar matching, in order to promote education concerning the natural and cultural resources of the Santa Monica Mountain National Recreation Area and lands adjacent thereto; and

(ii) with the William O. Douglas Outdoor Classroom whereby the Secretary agrees to maintain the facilities at 2600 Franklin Canyon Drive in Beverly Hills, California for nine years and to provide funding for programs of the William O. Douglas Outdoor Classroom that utilize such facilities for a maximum of nine years after the date of enactment of this Act, and whereby in return the William O. Douglas Outdoor Classroom agrees that at the end of the term of such agreement, all right, title, and interest in such facilities shall be donated to the United States for addition to and operation as a part of the Santa Monica Mountains National Recreation Area; and

(B) with the Santa Monica Mountains and Seashore Foundation and the University of California at Los Angeles (jointly) for completion of an archaeological survey, vegetation mapping, historical context, and history of lands within the Santa Monica Mountains National Recreation Area.

(3) Federal funds may be expended on non-Federal property located within the Santa Monica Mountains National Recreation Area pursuant to any cooperative agreement described in paragraph (2) that meets the requirements of subsection (b) of this section.

(b) REQUIREMENTS.—(1) The provisions of clause (i) of subsection (a)(1)(A) shall apply only to a cooperative agreement under which there will be visits by students or other beneficiaries to Federally-owned lands within the Santa Monica Mountains National Recreation Area and under which the responsibility of the Secretary will be limited to the providing of interpretation services concerning the natural and cultural resources of the Santa Monica Mountain National Recreation Area, while the other party or parties will be responsible for all other costs.

(2) The Secretary may enter into the agreement specified in clause (ii) of subsection (a)(1)(A) only if the Secretary determines that acquisition of the facilities described therein would further the purposes of the Santa Monica Mountain National Recreation Area. The provisions of such clause shall not be construed as authorizing an agreement by the Secretary for reimbursement of expenses incurred by such organization that are not directly related to use of the facilities specified in such clause (ii) for environmental education and interpretation of the resources and values of the Santa Monica Mountain National Recreation Area and associated lands and resources.

(3) The provisions of subsection (a)(1)(B) shall apply only to a cooperative agreement under which work on non-Federal lands shall be done only with the consent of the owner thereof and under which all information obtained will be used by the Secretary to further public education and the interpretation and management of the resources and values of the Santa Monica Mountain National Recreation Area.

(c) AMENDMENT.—The first sentence of section 507(r) of the National Parks and Recreation Act of 1978 (16 U.S.C. 460kk(r)) is hereby amended to read as follows: "There are hereby authorized to be appropriated such sums as may be necessary for acquisition of lands and interests therein within the boundaries of the recreation area established under this section, to remain available until expended. At the time the President submits a budget request for fiscal 1995, the Secretary of the Interior shall submit to the Congress a detailed acquisition-priority list (developed with appropriate public involvement) and cost estimates for completion of acquisitions within the recreation area in accordance with the land-protection plan or revisions thereof."

SEC. 2. AUTHORIZATION.

There are hereby authorized to be appropriated not to exceed $2,100,000 to implement the provisions of section 1(a)(2)(A) and not to exceed $300,000 to implement the provisions of section 1(a)(2)(B).

The SPEAKER pro tempore (Mr. ROEMER). Pursuant to the rule, the gentleman from Minnesota [Mr. VENTO] will be recognized for 20 minutes, and the gentleman from Tennessee [Mr. DUNCAN] will be recognized for 20 minutes.

The Chair recognizes the gentleman from Minnesota [Mr. VENTO].

GENERAL LEAVE

Mr. VENTO. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on H.R. 5534.

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

There was no objection.

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

Mr. Speaker, H.R. 5534 is a bill by Representative BERMAN of California that would authorize a cooperative agreement between the National Park Service and the William O. Douglas Outdoor Classroom, a nonprofit organization in Los Angeles that is active in furthering environmental education in the Santa Monica Mountains National Recreation Area.

Earlier this year, the Appropriations Committee included in the Interior appropriations bill for fiscal year 1993 a provision authorizing expenditure of Federal funds on non-Federal property under such a cooperative agreement. This was one of the instances in which the bill as reported proposed an appropriation for an unauthorized purpose—and was one of the parts of the reported bill against which a point of order was raised and sustained during consideration in committee of the whole.

H.R. 5534 would authorize a cooperative agreement with the outdoor classroom organization. If it is enacted, and the National Park Service does enter a cooperative agreement, funds could be appropriated to implement the agreement.

As reported by the Interior Committee, the bill would authorize several different cooperative agreements. The National Park Service could enter into any, all, or none of them.

First, there could be one or more cooperative agreements with the National Park Service to provide interpretive services concerning the resources and values of the Santa Monica Mountains National Recreation Area, as part of a program involving field visits to the national recreation area. Such agreements could be with the William O. Douglas Outdoor Classroom or other appropriate organizations or groups.

Second, the bill, as amended, would authorize a specific cooperative agreement with the William O. Douglas Outdoor Classroom. This authorization would be dependent on a determination that it would further the purposes of the national recreation area for the National Park Service to acquire the outdoor classroom's existing facilities. These facilities are located on land owned by the city of Los Angeles within the boundaries of the Santa Monica Mountains National Recreation Area—but acquisition of these lands would not be part of the agreement.

If it was determined that acquisition of the facilities would further the purposes of the national recreation area, the National Park Service could enter into an agreement to maintain the facilities for up to 9 years, and to fund environmental education programs of the outdoor classroom organization using the facilities, in return for a commitment that the facilities would then be donated to the United States.

Expenditures under any of these cooperative agreements, with the outdoor classroom or with others, would be capped at $2.1 million.

The bill, as amended, would also authorize a cooperative agreement with a consortium involving a local foundation and the University of California at Los Angeles [UCLA], for a survey of archaeological, vegetative, and other resources of lands within the national recreation area.

If this agreement is completed, any work under it done on lands not owned by the United States would require the permission of the owner, and the authorization would be capped at $300,000.

Finally, the bill would lift the current ceiling on appropriations for land acquisition within the boundaries of the Santa Monica Mountains National Recreation Area. This provision is identical to one that passed the House in the last Congress, as part of a measure involving exchange of BLM-managed public lands in Nevada for lands within the Santa Monica Mountains National Recreation Area, on which the Senate did not complete action.

Mr. Speaker, H.R. 5534 is a worthwhile bill that would give the National Park Service options for ways to better manage the Santa Monica Mountains National Recreation Area and to advance environmental education. I urge its approval.

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

□ 1720

Mr. DUNCAN. Mr. Speaker, I yield myself such time as I may consum

Mr. Speaker, I rise today in opposition to H.R. 5534, a bill which the National Park Service estimates will end up costing this Nation $500 million in land acquisition costs alone.

I certainly have no objection to the basic purpose of the original bill, which was limited to the William O. Douglas classroom bill. Educating people about the environment has always been one important goal of our National Park System.

However, with a national debt of over $4 trillion, I simply cannot believe that we would even consider this kind of spending. This is completely ridiculous. We are losing well over $1 billion every day at the Federal level, and unless we get our spending under control, I am convinced that we will do very serious damage to our economy. This bill might be acceptable if we had a surplus of cash, but we do not. In fact, we do not even have enough money, and we will run up the deficit, to cover emergency spending like the recent hurricane damage. This bill is certainly no emergency. In addition, I object to the authorization of $2.1 million over the next 9 years to purchase and maintain a building which has never been found necessary for park purposes. By the Park Service itself.

This is exactly the sort of wasteful, pork barrel spending that has brought this Nation to the verge of bankruptcy. We simply should not be proposing projects and studies that are not absolutely vital to the country. While I am sure that an outdoor classroom sounds like a wonderful thing, my personal feeling is that it ranks fairly low in priority compared to helping the sick and hungry and reducing our national debt.

H.R. 5534 also authorizes an additional 300,000 dollars' worth of studies to be performed by the Santa Monica Mountains and Seashore Foundation and UCLA.

During the Interior Committee hearing on this bill, no justification was presented why these institutions should be automatically favored over any others.

If any studies of this kind are called for, I think that they should be subject to regular contract procedures to make sure that the American taxpayer is getting his or her money's worth.

The main priority for Interior appropriations funds should be for the upkeep of current park lands. It should not be wasted on highly questionable projects like this one.

The Federal Government currently is, in one way or another, responsible for over 662 million acres of land—or about 29 percent of the entire area of this country.

The only way we stand a chance of maintaining our parks and public lands is to stop finding new ways to spend scarce funds and start taking care of what we have.

Above all, I am highly opposed to the open-ended land acquisition funding authorized in this bill. The National Park Service has testified before the Interior Committees in both Houses that the completion of the current acquisition plan for the Santa Monica Mountains Recreation Area would end up costing $500 million in current dollars.

The sum of $130 million has been spent on this boondoggle already, $10 million of which was spent on land not even in the acquisition plan.

I think that it is very sad that so much money has been poured into this project already, and that we are not even one-third of the way to completing this project.

At the rate of $15 million annually, which is the annual amount that the CBO expects to be spent on this project, our grandchildren will finish paying this park off in 2025, assuming that there is no inflation.

Finally, combining this with other legislation, the Interior Committee has passed over $2 billion in land acquisition authorization for California in this Congress alone.

In my opinion, this bill, as insignificant as it may seem at first glance, is a symptom of this Congress' total inability to control its spending habits.

For these reasons, I rise in opposition to this bill and I encourage all my colleagues to oppose it as well.

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

Mr. VENTO. Mr. Speaker, I yield such time as he may consume to the gentleman from California [Mr. BEILENSON], a supporter of the bill.

Mr. BEILENSON. Mr. Speaker, I rise in support H.R. 5534, which authorizes cooperative agreements between the National Park Service and nonprofit organizations for particular purposes associated with the Santa Monica Mountains National Recreation Area [NRA]. This legislation will enable the National Park Service to better fulfill its mission in the Santa Monicas by taking advantage of some of the resources in our community which serve the purposes of this park. The bill also removes the ambiguity in existing law about the authorization for appropriations for land acquisition in the park, clarifying that there is no ceiling on such appropriations.

Mr. Speaker, I would like to express my gratitude to the chairman of the Subcommittee on National Parks and Public Lands, Mr. VENTO, and to Mr. LAGOMARSINO, a member of the subcommittee who has had a longstanding interest in protecting the Santa Monicas, for their help with the bill before us today. Their assistance in formulating this legislation and in moving it forward is greatly appreciated by Mr. BERMAN and myself, as well as by the millions of Americans who live in or visit southern California, who benefit from having a national recreation area in the Santa Monicas.

The primary cooperative agreement authorized by this legislation concerns the William O. Douglas Outdoor Classroom, [WODOC] as it is known locally. WODOC is a nonprofit organization

which provides an extremely important service to our community by providing environmental education programs for about 100,000 people annually, many of whom are innercity schoolchildren whose only opportunity to learn about the environment in a natural setting is provided by WODOC.

Because WODOC has become an integral part of the Santa Monica Mountains National Recreation Area, officials at WODOC and at the National Park Service want to make a gradual transition to full National Park Service ownership and management of WODOC's facilities and programs. This legislation will enable the National Park Service and WODOC to enter into an agreement providing for the National Park Service to assume ownership of WODOC's facilities 9 years from now, while the Park Service provides $250,000 annually for educational programs during the next 9 years.

The second specific cooperative agreement authorized by this legislation concerns a $300,000 cultural resources study of lands within the boundaries of the Santa Monica Mountains National Recreation Area. This study would help identify the historic and natural resources in the mountains and thus provide a better foundation for decisions about acquiring and managing lands, as well as more information to use in educational programs.

The National Park Service would enter into an agreement with the Santa Monica Mountains and Seashore Foundation, a nonprofit organization which has done extensive research, planning, publications, workshops and mapping the Santa Monicas, and the University of California at Los Angeles [UCLA], to conduct this study, which would include an archeological survey, vegetation mapping, historical context, and history of lands. The project would cover Topanga Canyon, where a wealth of artifacts from the Chumash and Gabrielino Indians has already been discovered, as well as coastal and inland canyons near Malibu and other lands within the NRA, including private lands where the owners have given their consent to the study.

Mr. Speaker, when the Appropriations Subcommittee on Interior held hearings on National Park Service programs earlier this year, UCLA archeologist Lynn Gamble testified about the need for a cultural resources study of the Santa Monicas, urging that this study be done as soon as possible because of the rapid rate at which Native American heritage sites in southern California are being lost to development. Unfortunately, the subcommittee did not include the cultural resources study in the fiscal year 1993 Interior appropriations bill, but we hope that by authorizing the study this year, it will be included in the fiscal year 1994 bill.

At this point, I would like to include an excerpt from Ms. Gamble's testimony about what the study would cover:

TESTIMONY OF LYNN GAMBLE, PH.D.

This study would involve several phases of work. In the initial phase, the maps and records of the recorded sites housed at the Archaeological Information Center at UCLA would be consulted. A detailed map of the sites could then be produced using computerized geographical mapping systems. All pertinent information on the archaeological sites in the Santa Monica Mountains that is available in published and unpublished sources would be documented at this time. Archaeological field work in areas that have not been previously studied would constitute the second phase of work. In addition, background studies on the Santa Monica Mountains would be conducted in order to document the environmental context of the archaeological sites within the study area. These studies would include the collection of botanical and geological information that is relevant to the prehistoric Native Americans use of their environment. The final phase of work would be the synthesis of this information into a report that can be used to document the significance of the archaeolgical sites in the Santa Monica Mountains, and in particular the Summerhill property. This document can be used to help set land acquisition priorities and management practices in conjunction with other planning studies. It would also be useful in determining the National Register eligibility of sites on public and private lands in the Santa Monica Mountains.

Third, the bill contains a provision which clarifies that there is no authorization ceiling on appropriations for land acquisition in the Santa Monicas. The enabling legislation for the Santa Monica Mountains National Recreation Area, Public Law 95-625, limited the amount of funding that could be appropriated for Federal land acquisition in each of the 5 fiscal years that followed the 1978 authorizing legislation to a total of $125 million. While that law appears to provide for an unlimited amount of appropriations in the following years, we want it to be absolutely clear that that, in fact, is the case.

As the author of the original 1978 legislation establishing the Santa Monicas, I believe that the confusion over whether an authorization ceiling for appropriations for land acquisition exists stems from the fact that we planned for the land acquisition program to be completed in the five fiscal years that followed enactment. Unfortunately, budget constraints on land acquisition funding in the early 1980's, which have continued to the present time, made the 5-year timetable for completing the acquisition program an impossibility. As a result, we lost the opportunity to buy the land the Park Service needs when land was less expensive.

Nevertheless, significant progress has been made in the land acquisition program, and we anticipate that the Park Service will continue to add key properties to the park in the coming years. To help Members of Congress have a better understanding of the cost of acquiring the lands the Park Service needs in order to complete the Santa Monica Mountains NRA, this bill also calls on the Secretary of Interior to provide Congress with a cost estimate and list of priorities for completing land acquisition in the Santa Monicas at the time the administration submits its fiscal year 1995 budget. However, the information submitted to Congress will not be precise because estimates of land costs can vary significantly from one time period to another, and because priorities may change if particular properties are lost to development.

Mr. Speaker, I urge our colleagues to support H.R. 5534.

Mr. DUNCAN. Mr. Speaker, I yield 5 minutes to my distinguished colleague, the gentleman from Indiana [Mr. BURTON].

Mr. BURTON of Indiana. Mr. Speaker, you know, we have been talking about wasteful Government spending and pork-barrel projects here for the last 3 or 4 years. We get closer and closer each month, each year, to what I call the apocalypse as far as the economy is concerned.

We are heading toward, by the year 2000, a $13.5 trillion-plus national debt and interest on that debt that will be probably as much as all the income taxes coming into the Treasury. It means we are going to have a terrible time dealing with our problems across this country.

So what we have been trying to do is to convince our colleagues to cap entitlements and do what is necessary to bite the bullet so we do not have hyperinflation to deal with down the road that is really going to kill the people on fixed incomes, the people of Social Security, welfare, and so forth.

□ 1730

In addition to the entitlements we have talked about, we have also talked about specific pork-barrel projects, and the one before us now is a perfect example of how we waste money around this place.

Now, let us just take a look at this William O. Douglas Outdoor Classroom bill. It authorized the Federal Government to partially fund the operation of a privately owned outdoor classroom in Santa Monica, CA.

In the past, total funding for this program, about $350,000 a year, has been provided by private sources; however, evidently from these private sources dried up because they did not think it was a worthwhile project.

Last year then, $250,000 was included in the budget of the national parks to fund two-thirds of this program. This bill authorizes the National Park Service to give grants totaling $2.1 million over the next 9 years, but that is not all. In return, the Park Service receives a building which has never been identified as necessary for the park's purposes.

The bill also includes an open-ended future land acquisitions provision which is estimated to cost the Federal Government—now get this—$500 million.

The gentleman from Tennessee [Mr. DUNCAN] just talked about this.

To date, the Federal Government has already spent $130 million for land acquisition at this park. This includes $10 million for land last year which was not identified as a Park priority.

The bill also authorizes a $300,000 grant, as the gentleman from Tennessee [Mr. DUNCAN] said, to the Santa Monica Mountains and Seashore Foundation and UCLA to conduct studies. That is what we need, more studies funded by the taxpayer.

The administration states the administration of this bill "is duplicative of current law, unnecessary and detrimental to the long-term interests of the National Park Service."

This is not only typical pork barrel spending, this is "park barrel spending" at its worst.

If we had oodles and gobs of money, you would not see me and the gentleman from Tennessee [Mr. DUNCAN] and others down here fighting these projects; but we do not have oodles and gobs of money.

The fact of the matter is 10 years ago we reached the first $1 trillion of national debt in this country. It took us 200 years to get there. Now we are at $4 trillion. We have increased it 400 percent in just 10 years, and in the next 7½ years we are going to be at $13½ trillion. The interest alone on the debt is going to be almost as much as all the tax revenues coming in.

How are we going to pay for Social Security, welfare, food stamps, aid to dependent children, the health care problems of the Nation, the infrastructure and the defense of the Nation if we cannot even pay the interest on the debt with the taxes coming in?

We have to prioritize spending around here. It is absolutely essential that we make hard choices.

Now, this should not be a hard choice. This should be an easy choice. This is not a necessary project right now. It has open-ended funding for park acquisition and we should kill this thing before it gets out of the hole any further.

I think we will call for a vote and I am confident we will get at least more than the one-third necessary to kill this thing.

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

First of all, Mr. Speaker, I just want to take up the issue that has been made by the opponents apparently of the Santa Monica Mountains National Recreation Area, and that is that the clarification in this bill that clarifies or restates, in other words, as the testimony stated, that there is an authorization to continue purchase of land within the designated boundaries of the Santa Monica Mountains National Recreation Area.

While there were dollars spent in the first years and some $130 million has been spent in these areas to buy these lands, there have, of course, been donations and other types of acquisition that have occurred; but there is a considerable program.

This legislation really restates the fact that the Park Service can continue to do the obvious, and that is to purchase land within the designated area of the Santa Monica Mountains National Recreation Area. That was designated in 1978. At that time we decided to take the dollars as we expend resources in the Outer Continental Shelf, the money, the $7 billion that is credited to the land-water conservation fund that has accumulated over the year, has not been expended, and take some of those dollars and expend them on the purchase of national parks: in other words, depleting one resource and preserving or at least conserving another resource. That is what we are supposed to be about.

Every year there is $900 million that is authorized and that is earned from the Outer Continental Shelf gas and oil that is put into that fund.

Unfortunately, it is easy to get the money into Washington, but it is very hard to get it back out for the purposes of protecting our national resources and national parks, because at this particular juncture we have visited upon the parks, on the conservation and preservation of lands in this country every single fiscal problem that exists in Washington, that we cannot, and I think have demonstrated time and again, that the Congress and the administration apparently are not going to be trusted to take the dollars that they earned from these trust funds and to put them into what we said we are going to do. No, we are not going to do that. We are going to use them and spread them around to buy other objects of affection of some Members of this body with regard to how those dollars can be spent. So that is partly what this argument is about. If we could just take half that money, we could complete the purchase of the Santa Monica Mountains National Recreational Area in the given year. So that is redundant. That is in the legislation. Clearly, we meant what we said when we designated this park.

The truth of the matter is that we have in-holdings across this country in some of our parks and recreation areas that are not just 14 years old, but that are 100 years in reservation and in the Park System since its inception in 1916, because there is this effort to drag their feet, to frustrate the efforts of preservation and conservation of these lands that really represent all of America's heritage, and that is what this argument to some extent is about.

I think, yes, this is a priority, that the heritage of our children in terms of the parks and wild lands is important.

Now, second, with regard to the William O. Douglas Outdoor Classroom, I want to remind my colleagues where this is. This is adjacent to Los Angeles. There were some problems in Los Angeles this year. I guess I would equate it to be an epicenter of concern with regard to issues. These dollars that we are talking about here, the $300,000 or $350,000 of cooperative voluntary agreements that we are going to let the Park Service enter into if they choose to enter into it, these types of agreements were to serve the underserved individuals and kids in that particular community.

I personally think that when the welfare rate in Los Angeles County has gone from something less than 800,000 in 1988 to 1.3 million, a 500,000 increase in 3½ years, that we begin to understand that maybe these kids in this particular area, these children in this area, need some help, that these kids deserve an opportunity to get out and to enjoy and to utilize these recreational opportunities.

What this legislation attempts to do is to recognize that there are some kids that have problems. We know one in five kids in this country, in fact about 22 percent, live below the poverty level. They need some help. We need to reach out to them and give them some help.

We have got some ambitious packages moving through this body that are trying to do that; but here is a specific issue that we are trying to reach out and help those kids on a voluntary basis. That is what this is all about.

It only authorizes such cooperative agreements, which I think are reasonable. I think they are prudent. I think in an authorizing sense here we have looked at this and come to the conclusion that this is an appropriate thing to do.

The National Park Service has this mandate of interpretation, education, and in this particular context is part of the basic mission of the Park Service, especially in urban areas.

I know that many people think of national parks as being something that are thousands of miles away, but these national parks, these urban parks, like the Santa Monica Mountains National Recreation, is a national park and resource at the doorstep really of urban America. We need to reach out and provide the opportunity for kids who do not have that opportunity living in L.A. County and that area today. That is really what this particular purpose is about.

Now, the gentleman challenged us and said is this what we want as a priority. I would answer the gentleman, yes. This is what I want as a priority. I want to try and preserve and conserve some of the natural resources we have in an area of the country where there

is a significant population and a degradation of those resources and I want to reach out and deal with what I consider the human deficit in our society in terms of people who need help.

Yes, that is what I want to do. I want to see the Park Service engaged in that.

□ 1740

I want to put this Government back together so it starts to meet the needs of people in this country so that we do not have them unnecessarily feeling frustrated with a lack of connection and a lack of stake in our society today, as we have today, so that we can move to a different type of opportunity for these young people tomorrow, and this bill attempts to do that.

Mr. Speaker, I commend the gentleman from California [Mr. BEILENSON] and others that have worked on this, and I have worked on this, and the committee, the work they have done on it, and the gentleman from California [Mr. BERMAN], and we are not coming through the appropriation process without a hearing. We are out here in the light of day having votes on this particular issue, not attempting to bring it down.

I would note that I was the one in this particular process that struck some 25 to 30 different provisions from the appropriation bill or subjected them to appropriation. I note that very few Members rose to strike dollars from that bill that were in that bill while they complained about the individual authorization bill, that very few Members rose to strike dollars from the bill in the context of the complaints about the authorization legislation.

Mr. Speaker, I yield such time as he may consume to the gentleman from California [Mr. BERMAN].

Mr. BERMAN. Mr. Speaker, I thank the gentleman from Minnesota [Mr. VENTO] for yielding this time to me, and I rise in strong support of H.R. 5534, and I would like to take just a moment to speak to my friends on the other side regarding the very specific authorization in this bill for the William O. Douglas Outdoor Classroom.

The Park Service is charged with a very difficult mission. It has to both preserve and protect our natural resources and at the same time provide for their use and enjoyment. I would suggest that the Santa Monica National Recreational Area, that nowhere is this better carried out than in the WODOC program, support for which is authorized by this legislation.

WODOC is a nonprofit organization. It is dedicated to providing low-income children an opportunity to learn about the environment through a public-private partnership with the Park Service. They have exposed several hundred thousand young people going through formal programs through the schools from all over the Los Angeles Basin to nature's wonders. It has instilled them with desirable environmental values and lessons.

I say to my colleagues, you have to understand Los Angeles to understand the nature of this program. This is a mountain range which bisects the middle of the City of Los Angeles. It provides within just a few minutes a totally different outdoor wilderness recreational experience for hundreds and hundreds of thousands of children who cannot get to that kind of experience in the other parks in the National Park System. Here is a program which has taken kids from all over the area, kids who cannot afford any other kind of experience.

This is the best example of the Park Service working nonprofit to maximize utilization. This is not a preserve for a few number of complicated environmentalists who want to enjoy the wilderness experience. This is something which has brought the wilderness and the outdoor experience to millions of people, and I would really hope that in the context of deciding how to vote in this that my colleagues might consider the track record of a program that has worked well that is simply being authorized. It gives the Park Service the full authority to decide what to do in terms of any cooperative agreement.

Support this measure.

Mr. DUNCAN. Mr. Speaker, I yield an additional 2 minutes to the gentleman from Indiana [Mr. BURTON].

Mr. BURTON of Indiana. Mr. Speaker, I thank the gentleman from Tennessee [Mr. DUNCAN] for yielding this time to me.

First of all, the gentleman from California [Mr. BERMAN] is a good friend of mine on the Committee on Foreign Affairs, and I regret that I have to oppose this legislation, as does the gentleman from Tennessee [Mr. DUNCAN].

The fact of the matter is that I know this legislation is well intentioned. I understand the comments that the gentleman from Minnesota [Mr. VENTO] just made about the inner-city students and children who might benefit from this. I am sure that is going to solve the social problems that we see in Los Angeles, but certainly anytime young people have the opportunity to visit the wilderness and get a chance to learn about the environment, it is going to be positive. But the fact remains that this has openended land acquisition in it totaling $500 million. This legislation is not requested by the parks department. There are a lot of places that young people from Los Angeles County and elsewhere in this country can go to learn about the environment through our Park System.

Mr. Speaker, this is legislation that should not and is not a high priority, and that is my concern. We have to prioritize spending now. The deficit is out of control and getting worse daily. If we do not make the hard choices, then this country is going to face economic chaos.

□ 1750

So for that reason all of us have to be very diligent in making sure that we cut out any kind of program that borders on wastefulness. I believe this one does. The Parks Department does not want it. It is openended land acquisition totaling $500 million.

Although it is well-intended, this legislation should be defeated, and I will urge so when we ask for a rollcall vote.

Mr. VENTO. Mr. Speaker, I yield myself 30 seconds.

Mr. Speaker, I would read from page 6 of the report from the CBO. It says:

> The bill also includes an authorization for the appropriation of "such sums as be necessary for acquisition of lands and interest" in the SMMNRA. Current law already includes identical language, with specific authorization ceilings amounting to a total of $125 million for fiscal years 1979–1983. Thus, we have not included costs associated with this authorization in the above estimate. To date, the Congress has appropriated $129 million for this purpose and the President requested an additional $14 million for 1993.

Mr. Speaker, I am trying to point out to the gentleman and others that we are clarifying what is already there. The boundaries are there. It is obvious to anyone, or should be clearly, that there is already authorization that has been and is being utilized. So if the Park Service disagrees with the cooperative agreements, they do not have to enter into them. Last year they chose to do so when there were dollars available. They did not have to enter into an agreement.

Mr. Speaker, I think this is really an issue where I understand the sentiments of the gentleman from Indiana [Mr. BURTON] and have voted with him on a variety of efforts to try to eliminate problems, but I think in this case the committee has sufficient limitations in it that the measure should justify passage.

Mr. Speaker, this is only a clarification. I hope we can straighten it out before there is a vote on the measure.

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

Mr. Speaker, the gentleman from Minnesota [Mr. VENTO] has just read from a CBO letter, but the gentleman stopped reading at the sentence where the CBO says,

> Based on information from the National Park Service, CBO expects that continued appropriations of about $15 million annually would be necessary for many years in the future to complete the purchase of land in the SMMNRA.

As the gentleman from Indiana [Mr. BURTON] and I pointed out earlier, we have a national debt today of over $4 trillion. Almost every leading economist says that this country would be booming economically if we were not so far in the hole, if we were not so deeply in debt.

If that were not bad enough, we are losing $1 billion a day on top of that every day in this fiscal year and probably in the next. We are hurting the working men and women of this country right where it hurts the most, in the pocketbook, by continually daily passing legislation that we cannot afford and by continuing to spend money that we do not have.

Mr. Speaker, every bill that has been introduced in the history of this Congress has a wonderful apple pie and motherhood title to it. Every bill sounds good on the surface.

That is true of this bill, the William O. Douglas Outdoor Classroom bill. Who can be against that? But I would say again and point out to my colleagues that that is just the surface of the bill. The first part of this bill authorizes $2.1 million for the outdoor classroom. The second part of this bill authorizes $300,000 for another study. As the gentleman from Indiana [Mr. BURTON] said, we certainly do not need another study in the Federal Government, but this is for a study by the Santa Monica Seashore Foundation, whatever that is.

But the most dangerous part of this bill is the third part, which is the open-ended authorization of land acquisition. This bill authorizes land acquisition which the National Park Service says will cost $500 million over the next several years.

This is a bill that we cannot afford. It is a bill that we do not need.

Mr. Speaker, I would like to also point out that even if we do not vote for this bill here, it will not do away with the Santa Monica Park. The 15,000-acre park that is already there will stay there. The Park Service says that it has a multi-million-dollar shortfall in taking care of the needs of the present park at this time. Yet what we are going to do is going to add additional costs to what the Park Service has when it cannot even take care of what it already has.

In addition to that, the gentleman from Minnesota [Mr. VENTO] talked about the children. The Topanga-Las Virgenes Soil Conservation District had over twice as many children for their programs in the same park as did the William O. Douglas Outdoor Classroom. Yet we provide no money for that district in this bill. We provide money only for the classroom.

There are other examples that I could give of that same nature. This is a bad bill. It is a bill that should be defeated. I would urge all of my colleagues to vote against this bill in order to have some type of secure economic future for the children of this Nation.

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

Mr. Speaker, I would say the gentleman from Tennessee [Mr. DUNCAN] has read correctly that the CBO expects that continued appropriation of $15 million annually would be necessary for many years in the future to complete the purchase of land in the Santa Monica Mountains National Recreational Area.

But whether this bill passes or not, that is their view of what the need is. It is my point and I think the point we have repeatedly made that we are just clarifying what already is the law with regard to authorization for appropriation. So that was really a technical amendment. I do not think the bill should be judged on that particular basis.

Mr. DUNCAN. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

The SPEAKER pro tempore (Mr. ROEMER). The question is on the motion offered by the gentleman from Minnesota [Mr. VENTO] that the House suspend the rules and pass the bill, H.R. 5534, as amended.

The question was taken.

Mr. BURTON of Indiana. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to the provisions of clause 5, rule I, and the Chair's prior announcement, further proceedings on this motion will be postponed.

MAKING IN ORDER ON WEDNESDAY, SEPTEMBER 16, 1992, CONSIDERATION OF MOTIONS TO SUSPEND THE RULES ON S. 3175 AND H.R. 5925

Mr. GEPHARDT. Mr. Speaker, I ask unanimous consent that it may be in order tomorrow, Wednesday, September 16, 1992, for the Speaker to entertain motions to suspend the rules with respect to S. 3175, National and Community Services Act Technical Corrections, and H.R. 5925, EEOC Technical Revolving Fund Act.

The SPEAKER pro tempore (Mr. ROEMER). Is there objection to the request of the gentleman from Missouri?

Mr. MICHEL. Reserving the right to object, Mr. Speaker, and I really do not intend to object because the distinguished majority leader and I have had a conversation relative to the schedule for tomorrow, but I do want to make a point from our side with respect particularly to the supplemental appropriation, the urgent supplemental, having to do with the assistance to the folks in Florida and Louisiana. Hopefully, we will be able to get that thing concluded this week.

Now, unfortunately two of our Members have passed away, and in due respect to those Members we have traditions to which we must abide. By the same token, Mr. Speaker, we are really getting in a bind here timewise, and I would hope the distinguished majority leader, the gentleman from Missouri [Mr. GEPHARDT] could assure me that we could get this supplemental out of the way this week before we adjourn at least for the weekend.

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

Mr. MICHEL. I yield to the gentleman from Missouri.

Mr. GEPHARDT. Mr. Speaker, we certainly agree with that goal. We want very much to finish that work, get the bill to the President, because the people in Florida, Louisiana, and Hawaii now are needing that assistance very much. We very much want to get that work finished.

Mr. Speaker, we will work with the minority and with the gentleman from Illinois [Mr. MICHEL] to try to make sure that that happens and to work out the procedures to see that it does happen.

We also, as the gentleman stated, have the unfortunate circumstance of two Members dying in the past few days. In a moment I am going to ask unanimous consent to meet tomorrow at 2 o'clock so that we can accommodate the needs of Members to travel to one of the funerals in the State of New York. We will then on the next day have to deal with a similar situation with the unfortunate passing of Representative JONES of North Carolina.

Mr. Speaker, we have business that we are tying to finish this week in addition to the supplemental, urgent supplemental appropriation.

Mr. MICHEL. Further reserving the right to object, Mr. Speaker, might I inquire of the majority leader if there is a possibility then on Thursday of our meeting early on Thursday and having some time off for transportation to and from the funeral in North Carolina and reconvening later the same day for urgent business? Is that a possibility?

Mr. GEPHARDT. Mr. Speaker, if the gentleman would continue to yield, it is a distinct possibility, and if all of the business could be completed, it might be possible to be able to finish sometime Thursday, but we are not sure of all of that yet. We will take it a day at a time.

Mr. MICHEL. Mr. Speaker, I hope we can get the assurance of the distinguished gentleman that we will definitely be moving just as expeditiously as we can on the urgent supplemental. It is still, as I understand, pending in the other body, and hopefully, if it does not get bogged down with extraneous material, we could have a House amendment to the Senate-passed bill, and without going to conference, that could expedite matters here, and I think we have got an understanding here that that would be the scenario if we could work it out appropriately.

Mr. GEPHARDT. That is our goal.

Mr. MICHEL. Mr. Speaker, with that I certainly withdraw my reservation of objection.

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

There was no objection.

HOUR OF MEETING ON TOMORROW

Mr. GEPHARDT. Mr. Speaker, I ask unanimous consent that when the House adjourns today it adjourn to meet at 2 p.m. on tomorrow.

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

There was no objection.

APPOINTMENT OF ADDITIONAL MEMBERS TO FUNERAL COMMITTEE OF THE LATE HONORABLE TED WEISS

The SPEAKER pro tempore. Pursuant to House Resolution 564, the Chair announces the following additional appointments to the funeral committee of the late Ted Weiss on the part of the House: Mr. KOSTMAYER of Pennsylvania; Mr. DE LUGO of the Virgin Islands, and Mr. DURBIN of Illinois.

CLINTON IN ENGLAND

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

Mr. LIVINGSTON. Mr. Speaker, yesterday, the Washington Times ran a column that raises alarming questions about Bill Clinton's antiwar activities as a student in England.

Entitled "Clinton's Early Dovecote Updated," this column exposes the Democratic Presidential nominee's relationship with activists in Great Britain who opposed America's involvement in Vietnam.

One of these activities wrote a book which, according to the column,

* * * puts Bill Clinton squarely in the lead of a series of demonstrations with public support of the British Peace Council, an affiliate of the World Peace Council and as obvious a front group for the Soviet KGB's international department as any that ever was.

There have been questions raised about Mr. Clinton's various positions on draft dodging. But there have been few inquiries into his actual activities while he was in Europe.

Mr. Speaker, the question of whether Mr. Clinton dodged the draft is one thing. But is it true that Bill Clinton spent his time in England working as a dupe for a KGB front group?

I urge Mr. Clinton to answer these charges immediately. If these allegations are true, Bill Clinton is not fit to be Commander in Chief of the Armed Forces of the United States.

Mr. Speaker, for the RECORD I include the newspaper article referred to.

CLINTON'S EARLY DOVECOTE UPDATED

Bill Clinton's draft record has dogged him since serious questions were first raised in the Wall Street Journal last February. After a hollow attempt (in the name of "full disclosure") by his friend and fellow Rhodes Scholar, Strobe Talbott, to put the charges to rest in the April issue of Time, a series of new revelations has raised more questions about Mr. Clinton's truthfulness in reporting his record.

But there is a more fundamental dimension of Mr. Clinton's anti-war activities during his Oxford days that neither he nor Mr. Talbott has yet addressed. This new information raises questions that are just as troubling as whether Mr. Clinton dodged the draft then and whether he is lying now.

To learn this story, we turn to the Rev. Richard McSorley, a Jesuit priest and professor of peace studies who has taught at Georgetown University since Bill Clinton's undergraduate days there. Father McSorley's memoir about his international travels with the pacifist movement, Peace eyes, was published in 1977 and is now out of print. Peace Eyes begins: "When I got off the train in Oslo, Norway, I met Bill Clinton of Georgetown University. He asked if he could go with me visiting peace people. We visited the Oslo Peace Institute, talked with conscientious objectors, with peace groups, and with university students. At the end of the day as Bill was preparing to leave, he commented, 'This is a great way to see a country.'"

Father McSorley was so impressed with Bill Clinton that he wrote in his Foreword, "I thought at the time that this his [Mr. Clinton's] words summarized what I wanted to say in this book. To see a country with a peace focus, through the eyes of peace people is a good way to travel, a good way to see a country and the world."

As a Rhodes Scholar in England, Bill Clinton learned to see the world, including his native America, through the eyes of the international peace movement. The details of this perspective, and its influence on Bill Clinton's worldview, have received no attention. The record should be set straight for all voters, regardless of how they feel about his response to service in the U.S. armed forces.

Father McSorley recalls that on "Nov. 15, 1969, I participated in the British moratorium against the Vietnam War in front of the U.S. Embassy at Grosvenor Square in London. Even the appearance of the Embassy stressed the over-exaggerated nature of America's power. * * * The total effect of architecture and decor says to the passer-by, 'America is the biggest and greatest power on the globe' * * * That day in November about 500 Britons and Americans were meeting to express their sorrow at America's misuse of power in Vietnam * * * Most of them carried signs which said, Americans out of Vietnam."

Father McSorely goes on to describe vividly the demonstration, which ended with a chorus of "We shall overcome."

"The activities in London supporting the second stage of the moratorium and the March of Death in Washington, were initiated by Group 68 [Americans in Britain]," wrote Father McSorely. "This group had the support of British peace organizations, including the Committee on Nuclear Disarmament, the British Peace Council, and the International Committee for Disarmament and Peace."

Then comes this revelation: "The next day I joined with about 500 other people for the interdenominational service. Most of them were young, and many of them were Americans. As I was waiting for the ceremony to begin, Bill Clinton of Georgetown, then studying as a Rhodes Scholar at Oxford, came up and welcomed me. He was one of the organizers. * * * After the service Bill introduced me to some of his friends. With them, we paraded over to the American Embassy, carrying white crosses made of wood about 1 foot high. There we left the crosses as an indication of our desire to end the agony of Vietnam."

Father McSorely can hardly be called a tool of the opponents to Bill Clinton's candidacy for president. Yet his prosaic, thorough depiction of those events, puts Bill Clinton squarely in the lead of a series of demonstrations with the public support of the British Peace Council, an affiliate of the World Peace Council and as obvious a front group for the Soviet KGB's international department as any that ever was.

Now, Bill Clinton at Oxford was no naif. He was a calculating political analyst, already confirmed in his ambition as a leader of his generation. By his own testimony, in his letter to ROTC Director Col. Eugene Holmes, Bill Clinton was taking great care to preserve what he considered his "political viability." In this letter, Mr. Clinton also maintained that "not many people had more information about Vietnam at hand than I did."

With this in mind, cooperation alone in anti-American demonstrations abroad would raise eyebrows. But Bill Clinton did more that cooperate; Bill Clinton was a leader of a movement under the direct aegis and support of one of the most notorious communist front organizations in Europe.

Further, it was at Oxford that Mr. Clinton gathered around him the advisors who still constitute some of the senior leadership of his campaign. The American people deserve a full accounting, now, of Bill Clinton's contacts in and coordination with the World Peace Council's British leadership.

Spare us Strobe Talbott's "full disclosure" and your own pussyfooting, Governor. Tell us everything, tell us yourself, and tell us now.

CHANGES IN EEO LANGUAGE ON THE CABLE BILL

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

Mr. RICHARDSON. Mr. Speaker, I am deeply upset about changes made by House and Senate conferees to the equal employment opportunity [EEO] section of the cable bill. These EEO changes are not in the public interest.

H.R. 4850, which passed the House in July, would have put into place strong EEO rules on the cable and broadcasting industries. The House cable bill, which I supported, strengthened the EEO rules as they applied to cable and, for the first time, extended these standards to the broadcasting industry. That was good public policy.

Now, lo and behold, these EEO standards for the broadcasting industry are gone. The broadcast EEO language that passed the House of Representatives has been deleted. So we now have a conference report that, on the issue of EEO rules, tells minorities and women who work at television broadcast stations to get to the back of the bus. You will not be afforded the same opportu-

nities as your counterparts in the cable industry.

Why were changes made to the EEO section? Because the broadcasting industry exercised its veto powers in the conference committee. They did not like the broadcast EEO language supported by the House, and therefore conferees were instructed to take it out.

Mr. Speaker, congratulations are in order for the broadcasters' lobby. They managed successfully to convince conferees that on the issue of equal employment opportunities for minorities and women, broadcasters can play by different rules. Mr. Speaker, EEO rules are written for the benefit of minorities and women. They should not be written to benefit broadcasters.

There is no policy justification for this double-standard on EEO requirements between broadcast stations and cable operators. The House-passed cable bill would have corrected this inequity, but now we are putting this double-standard into the statute. Congress should not give this EEO policy its stamp of approval.

Mr. Speaker, I include for the RECORD the following letters with regard to this cable legislation:

HOUSE OF REPRESENTATIVES,
Washington, DC, September 11, 1992.

Hon. ED PASTOR,
Longworth House Office Building, Washington, DC.

DEAR ED: I am writing to express my strong opposition to changes made to the equal employment opportunity [EEO] section of the cable bill by the House and Senate conferees. I want to bring this matter to your personal attention.

When H.R. 4850 passed the House of Representatives on July 23, it contained a strong EEO policy to improve existing rules on the cable industry and to extend, for the first time, the same EEO standards for minorities and women who work in the television broadcasting industry. For those deeply concerned about the chronic under-representation of minorities and women in policy and decisionmaking positions in mass media companies, the House-passed cable bill did something to address those concerns. The Conference Report does nothing, and, in fact, rejects the extension of these EEO rules to the broadcast industry.

Specifically, the Conference Report deleted provisions that would have (1) directed the FCC to annually certify broadcaster compliance with EEO obligations; (2) instructed the FCC to review broadcaster performance as part of the license renewal process; and (3) encouraged broadcasters to take affirmative steps to do business with minority and female entrepreneurs.

In an effort to make it appear that something has been done about increasing equal employment opportunities for minorities and women in the broadcast industry, House and Senate conferees agreed to simply reaffirm existing FCC regulatory provisions on the broadcast industry. In other words, there will be no change in the EEO policies and programs of television broadcast stations. The status quo prevailed.

Increasing equal employment opportunities for minorities and women in mass media companies is a long stated policy goal of the Congress, and it has been upheld by the courts. EEO guidelines work. They now govern the employment practices of the cable industry, whose record of employing more minorities and women has improved under the EEO rules now being rejected by the conference report.

Congress passed a strong EEO cable policy as part of the 1984 Cable Act because it considered the representation of minorities and women in the industry integral to the larger principle of diversity of views in electronic media. The importance of a meaningful EEO policy is even greater within the context of the television broadcasting industry, which reaches a larger and more diverse viewing audience than the cable industry. Congress should not lend its support to a double-standard on the principle of representation and professional advancement of minority and female workers in the television broadcast industry.

The sad fact remains that minorities and women continue to be under-represented as employees, decisionmakers, and owners in the broadcast industry. Maintaining the status quo on regulations governing the employment practices of television broadcast stations is not the step Congress should be taking.

I will be opposing the Conference Report on the cable bill. I intend to address this issue on the House floor at the time of debate.

With warm regards,

BILL RICHARDSON,
Member of Congress.

HOUSE OF REPRESENTATIVES,
Washington, DC, September 9, 1992.

DEAR CABLE BILL CONFEREE: We are writing to express our strong support for Section 12 of H.R. 4850 on equal employment opportunity. This provision improves the existing EEO requirements on the cable industry and extends these standards to assure that equal employment opportunities are afforded by television broadcasting stations.

Minorities and women remain significantly under-represented in our nation's media companies. This serious problem is recognized by Section 634 of the Communications Act, under which the cable industry is required to afford equal opportunity in employment. Congress included this provision in the 1984 Cable Act because it considered the representation of minorities and women in the industry integral to the larger principle of diversity of views in electronic media.

The importance of a meaningful EEO policy is even greater within the context of the television broadcasting industry, which reaches a larger and more diverse viewing audience than the cable industry. Despite the existence of regulations governing the employment practices of television broadcast stations, the sad fact remains that minorities and women continue to be under-represented as employees, decision-makers, and owners in the industry.

H.R. 4850, which passed the House of Representatives overwhelmingly, contained an EEO provision that reaffirmed existing FCC regulatory provisions under which television broadcasters (1) are required to afford equal opportunity in employment, and (2) are prohibited from discriminating on the basis of race, color, religion, national origin, or sex. In addition, this broadcast EEO provision (1) requires broadcasters to adopt detailed EEO policies and programs; (2) directs the FCC to annually certify broadcaster compliance with EEO obligations; (3) instructs the FCC to review broadcaster performance as part of the license renewal process; and (4) encourages broadcasters to take affirmative steps to do business with minority and female entrepreneurs.

Congress has consistently taken steps to remedy the under-representation of minorities and women in the mass media area. H.R. 4850 passed with a strong EEO policy. We hope that attempts to weaken this section of the bill are defeated. We would like to thank you in advance for your support.

Sincerely,

BILL RICHARDSON,
CARDISS COLLINS,
EDOLPHUS TOWNS,
PATRICIA SCHROEDER,
ED PASTOR,
Members of Congress.

WHY DO WE CRITICIZE BILL CLINTON?

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

Mr. SCHEUER. Mr. Speaker, during the past several weeks outspoken members of the Republican Conference have criticized the fact that Governor Clinton of Arkansas did not serve with the active military during the Vietnam war.

Republicans of this House have implied that Mr. Clinton did something illegal, immoral, or un-American. Nothing could be further from the truth.

Why do we criticize Bill Clinton?

Bill Clinton, like most young men of the period, struggled with the idea of fighting in the Vietnam war—but he clearly stated in his correspondence of the time, that if called upon he would serve his country. As a result of a congressionally legislated lottery system, he received a high number and thus was not called upon to serve.

In legally not serving in Vietnam he is joined by more than two-thirds of the Republicans in Congress—both the House and Senate—who were of draft age and likewise did not serve in the Active Forces.

It is not my intention to criticize in any way this vast majority of the Republican Conference who did not serve in Vietnam. I assume that their reasons for not serving in the war were as perfectly legitimate and legal as were Bill Clinton's.

A former Member of the House, who now serves as the Secretary of Defense and sends young men into combat, some of whom do not return, did not serve in Vietnam because of an educational deferment that permitted him to study at Harvard.

Another former Member of Congress, who is this country's current Vice President, sought the perfectly legal safehaven of the National Guard, as did four current Republican Members of Congress. I have absolutely no criticism of these men. They all seized a legal option to avoid active military service.

Mr. Speaker, I submit with my statement for the record, a list of Republicans who did serve in Vietnam as well as the more than two-thirds who avoided the option of serving with active military forces, who I am sure have reasons as fully legitimate as Bill Clinton for not joining the active military forces in Vietnam.

Source: Almanac of American Politics 1992.

Criteria: The set "Of Draft Age" includes current Republican members of the House and Senate who were between the ages of 18 and 25 during the years 1963 to 1974. Note: Certain exceptions made for those Members who served in Vietnam despite being outside the age requirements.

REPUBLICAN SENATORS OF DRAFT AGE WHO SERVED IN THE U.S. MILITARY DURING THE VIETNAM ERA—7 MEMBERS

Sen. John McCain (R-AZ) b. 8/29/36.
Sen. Hank Brown (R-CO) b. 2/12/40.
Sen. Steve Symms (R-ID) b. 4/23/38.
Sen. Daniel Coats (R-IN) b. 5/16/43.
Sen. Bob Smith (R-NH) b. 3/30/41.
Sen. Larry Pressler (R-SD) b. 3/29/42.
Sen. Bob Kasten (R-WI) b. 6/19/42.

REPUBLICAN CONGRESSMEN OF DRAFT AGE WHO SERVED IN THE U.S. MILITARY DURING THE VIETNAM ERA—19 MEMBERS

John J. Rhodes (R-AZ) b. 9/8/43.
Jim Kolbe (R-AZ) b. 6/28/42.
Frank Riggs (R-CA) b. 9/5/50.
Randy Cunningham (R-CA) b. 12/8/41.
Duncan Hunter (R-CA) b. 5/31/48.
Bill McCollum (R-FL) b. 7/12/44.
Cliff Stearns (R-FL) b. 4/16/41.
John Porter (R-IL) b. 6/1/35.
Bob Livingston (R-LA) b. 4/30/43.
Wayne Gilchrest (R-MD) b. 4/15/46.
Doug Bereuter (R-NE) b. 10/6/39.
William Zeliff (R-NH) b. 6/12/36.
David Martin (R-NY) b. 4/26/44.
Paul Gillmor (R-OH) b. 2/1/39.
John Boehner (R-OH) b. 11/17/49.
Tom Ridge (R-PA) b. 8/26/45.
Ron Machtley (R-RI) b. 7/13/48.
Sam Johnson (R-TX) b. 10/11/30.
Frank Wolf (R-VA) b. 1/30/39.

REPUBLICAN SENATORS OF DRAFT AGE WHO DID NOT SERVE IN THE U.S. MILITARY DURING THE VIETNAM ERA—6 MEMBERS

Sen. Connie Mack (R-FL) b. 10/29/40.
Sen. Larry Craig (R-ID) b. 6/20/45.
Sen. Mitch McConnell (R-KY) b. 2/20/42.
Sen. Richard Cohen (R-ME) b. 8/28/40.
Sen. Trent Lott (R-MS) b. 10/9/41.
Sen. Phil Gramm (R-TX) b. 7/8/42.

REPUBLICAN CONGRESSMEN OF DRAFT AGE WHO DID NOT SERVE IN THE U.S. MILITARY DURING THE VIETNAM ERA—50 MEMBERS

Jon Kyl (R-AZ) b. 4/25/42.
Wally Herger (R-CA) b. 5/20/45.
Tom Campbell (R-CA) b. 8/14/52.
John Doolittle (R-CA) b. 10/30/50.
Elton Gallegly (R-CA) b. 3/7/44.
David Dreier (R-CA) b. 7/5/52.
Christopher Cox (R-CA) b. 10/16/52.
Bill Lowery (R-CA) b. 5/2/47.
Dana Rohrabacher (R-CA) b. 6/21/47.
Wayne Allard (R-CO) b. 12/2/43.
Christopher Shays (R-CT) b. 10/18/45 (Served in Peace Corps).
Gary Franks (R-CT) b. 2/9/53.
Craig James (R-FL) b. 5/5/41.
Porter Goss (R-FL) b. 11/26/38 (served in the C.I.A.).
Newt Gingrich (R-GA) b. 6/17/43.
Dennis Hastert (R-IL) b. 1/2/42.
Jim Leach (R-IA) b. 10/15/42.
Fred Grandy (R-IA) b. 6/29/48.
Jim McCrery (R-LA) b. 7/18/49.
Richard Baker (R-LA) b. 5/22/48.
Clyde Holloway (R-LA) b. 11/28/43.
Fred Upton (R-MI) b. 4/23/53.
Paul Henry (R-MI) b. 7/9/42 (served in Peace Corps).
Dave Camp (R-MI) b. 7/9/53.
Vin Weber (R-MN) b. 7/24/52.
Jim Ramstad (R-MN) b. 5/6/46.
Tom Coleman (R-MO) b. 5/29/43.
Chris Smith (R-NJ) b. 3/4/53.
Dick Zimmer (R-NJ) b. 8/16/44.
Jim Saxton (R-NJ) b. 1/22/43.
Steven Schiff (R-NM) b. 3/18/47.
Ray McGrath (R-NY) b. 3/27/42.
Bill Paxon (R-NY) b. 4/29/54.
Jim Walsh (R-NY) b. 6/19/47 (served in Peace Corps).
Charles Taylor (R-NC) b. 1/23/41.
Michael Oxley (R-OH) b. 2/11/44.
Bob McEwen (R-OH) b. 1/12/50.
John Kasich (R-OH) b. 5/13/52.
Curt Weldon (R-PA) b. 7/22/47.
Don Ritter (R-PA) b. 10/21/40.
Joe Barton (R-TX) b. 9/15/49.
Jack Fields (R-TX) b. 2/3/52.
Larry Combest (R-TX) b. 3/20/45.
Lamar Smith (R-TX) b. 11/19/47.
Tom DeLay (R-TX) b. 4/8/47.
Dick Armey (R-TX) b. 7/7/40.
Tom Petri (R-WI) b. 5/28/40.
Scott Klug (R-WI) b. 1/16/53.
Steve Gunderson (R-WI) b. 5/10/51.
Jim Sensenbrenner (R-WI) b. 6/14/43.

REPUBLICAN SENATORS AND CONGRESSMEN OF DRAFT AGE WHO LEGALLY AVOIDED ACTIVE SERVICE BY SERVING IN THE NATIONAL GUARD—4 MEMBERS

Sen. Don Nickles (R-OK) b. 12/6/48.
Robert Walker (R-PA) b. 12/23/42.
John Duncan (R-TN) b. 7/21/47.
Rod Chandler (R-WA) b. 7/13/42.

Republican Members of the House and Senate of draft age who legally avoided active service in the U.S. military during the Vietnam era: 60.

As a percentage of all eligible Republican members: 69 percent.

Republican Members of the House and Senate of draft age who served: 26.

As a percentage of all eligible Republican members: 21 percent.

SOUTHERN CALIFORNIA EDISON: A LEADER IN PROTECTING THE ENVIRONMENT

(Mr. HOAGLAND asked and was given permission to address the House for 1 minute and to revise and extend his remarks and include therein extraneous material.)

Mr. HOAGLAND. Mr. Speaker, California has always been on the front lines of social change in America. Now it is on the front lines of economic difficulties as well. We know how serious so many of these economic problems are. Those of us from elsewhere in the country, of course, are hoping that we do not have the pleasure of experiencing those ourselves sometime in the future.

But there are bright examples of genuine leadership coming from California as well, and one of those leaders is John Bryson, chairman and chief executive officer of Southern California Edison.

Let me tell Members just briefly about some of the things that he is doing as chairman and CEO of Southern California Edison to protect the environment and to address global warming. John Bryson is no stranger to environmental protection. He is a cofounder of the Natural Resources Defense Council, is on the board of directors of both the World Resources Institute and the California Environmental Trust, and is a member of the National Commission on the Environment. He is also no stranger to big business or to government, having served as president of the California Public Utilities Commission and as chairman of the California Water Resources Board, as well as now heading the second largest electric utility in the Nation.

In a Business Week supplement entitled: "Saving the Planet: Environmentally Advantaged Technologies for Economic Growth," presented in cooperation with the World Resources Institute, Mr. Bryson demonstrates that promoting a cleaner environment and economic growth are compatible, and in fact, are mutually beneficial. He describes what Southern California Edison has done, under his leadership, to prove that environmentally sensitive companies are successful companies and that industry has an obligation to protect the environment. The entire article appears below.

At Bryson's urging, Southern California Edison has also initiated a new program to reduce its carbon dioxide emissions voluntarily called a "no regrets" policy. The goal of this policy is to reduce Edison's carbon dioxide emissions by 10 percent by the year 2000 and 10 percent more by 2010 through conservation, energy efficiency improvements and improvements in its existing gas and oil fired power plants.

What does Mr. Bryson mean by "no regrets"? Put simply, it means that if companies voluntarily take action now to reduce their carbon dioxide emissions based on sound economics such as increasing energy efficiency, industry avoids expensive mandatory actions that might be unnecessary should future scientific studies show that increased carbon dioxide does not contribute to global warming. If it turns out that carbon dioxide does in fact adversely affect the global climate, steps taken now will mean fewer costs down the road.

In a letter to President Bush, which I submit below, Mr. Bryson suggests that the administration propose such a policy. I too urge the President to seriously consider this policy. Reducing carbon dioxide emissions through efficiency and conservation can save American industry and consumers untold millions of dollars and provide this country with a much needed sense of energy security that we now do not have because of our dependency on imported oil.

[From Business Week, Dec. 30, 1991]

ELECTRONIC UTILITIES AND THE ENVIRONMENT: PARTNERS FOR THE 21ST CENTURY

(By John E. Bryson, Chairman and CEO)

At Southern California Edison, we are seeking to achieve regional and national environmental objectives while meeting our customers' needs for reliable, reasonably priced electricity. To do so, we are departing from traditional utility paths.

For example, when a recent National Academy of Sciences report noted the accumulation of carbon dioxide (CO_2) poses a potential threat sufficient to merit actions today, despite uncertainties about greenhouse warning. Edison was persuaded to act now to reduce CO_2 emissions at little or no cost to our customers.

In May, Edison and the Los Angeles Department of Water & Power jointly announced that each utility would reduce its CO_2 emissions by 10% each by the next decade, and by an additional 10% by the year 2010.

This spring, Edison announced it would support stringent new air-quality rules in Southern California requiring an 86% reduction of nitrogen-oxide (NO_x) power plant emissions.

Such environmental-protection initiatives by electric utilities will best succeed if utilities are allowed to apply their experience and judgment to solving environmental problems. Environmental and utility regulators should establish broad policy goals, then allow utilities to achieve environmental goals in the least costly manner possible. Ultimately, environmental issues have to compete with a multitude of concerns for utilities' limited financial resources.

Edison plans to take several steps to achieve these CO_2 and NO_x reductions. Most important, we will expand our energy conservation programs to help customers use energy more efficiently. One of our 55 energy-efficiency programs improves air quality by replacing internal-combustion motors used in agriculture and manufacturing with cleaner electric motors. Our Welcome Home Program gives residential builders incentives to surpass state energy-efficiency standards for housing.

We have also given low-income customers more than 1 million free compact fluorescent light bulbs, which use 75% less energy and last nine times as long as than conventional bulbs. Since the program's inception six years ago, these new bulbs have saved enough energy to eliminate 437,000 pounds of CO_2, 4,000 pounds of NO_x, and 31,000 pounds of sulfur-dioxide emissions annually.

While expanding our conservation programs will enable us to supply most of our future load growth, Edison will take two additional steps to increase generating capacity while reducing air-polluting emissions. we plan to convert our older steam plants into combined-cycle systems, that use combustion turbines to generate electricity and also capture the exhaust heat to make steam that generates more electric power. These more efficient, repowered plants will reduce CO_2 emissions by 600,000 tons annually by the year 2000. We will also consider how we can increase our use of alternate and natural resources. We now provide electricity from oil, natural gas, hydroelectric, coal, nuclear, biomass, solar, wind, and geothermal. Edison will pursue cost-effective alternative and renewable technologies such as wind and solar power—in the future.

Solar power looks especially promising. Together with Texas Instruments Inc., we will develop an innovative solar cell that will convert sunlight to electricity—at about one-fifth the cost of conventional solar cells. Edison is also taking the lead in cooperating and other utilities to construct Solar Two, the most advanced solar-power plant in the world.

Edison stands committed to further developing non-polluting electric transportation too. Electric cars are 97% cleaner than the conventionally powered vehicles now operating on Southern California highways, taking into account power plant emissions and the generation resource mix available in the area. So their widespread use can significantly reduce vehicular emissions, which account for about two-thirds of the air pollution in the Los Angeles Basin.

Edison scientists are also advancing the use of electro-technologies to improve product quality while reducing air-polluting emissions. One example, ultraviolet curing, offers an energy-efficient alternative to the high-polluting, solvent-based coatings used by furniture makers, metal finishers, and printers.

Southern California Edison is not the only electric utility seeking to protect the environment. This year, about 200 U.S. utilities will spend $2 billion on about 1,300 conservation programs. The Edison Electric Institute expects these program to "supply" 24,000 megawatts—or about 24 large power plants' worth of electricity—by the year 2000.

Protecting the environment not only improves life for electric utilities' customers; it is also sound business. Edison envisions a myriad of business opportunities arising from our commitment to clean air and sees no inherent conflict between operating a profitable business while improving the quality of life. On the contrary, the two goals enhance each other.

SOUTHERN CALIFORNIA EDISON CO.,
Rosemead, CA, March 5, 1992.

Hon. GEORGE BUSH,
President of the United States, the White House, Washington, DC.

DEAR MR. PRESIDENT: I write to congratulate you on the Administration's recent announcement that it will make funds available to assist developing countries in dealing with the climate change issue and to underwrite international research on this very important issue. You are to be applauded for these actions.

I also want to suggest that the Administration take a leadership position on the carbon dioxide (CO_2), climate change issue by advancing a "no regrets" policy on CO_2. "No regrets" means taking voluntary actions now to limit or reduce CO_2 that are justified on the basis of sound economics or other social benefit. By adopting a "no regrets" policy, we avoid expensive actions that might be unnecessary should additional scientific research show that the rise in man-made CO_2 poses no significant threat. On the other hand, if it turns out that there is a cause and effect link between the rise in CO_2 emissions and adverse climate change, the steps we take now will stand us in good stead.

In May 1991, Southern California Edison and the Los Angeles Department of Water and Power announced such a "no regrets" CO_2 policy. Edison committed to reduce its 1988 base year CO_2 emissions 10% by the year 2000 and aim at another 10% reduction by the year 2010. We were able to make such a commitment because we plan to rely heavily on conservation, energy efficiency improvements, and environmentally sound repowering of existing gas and oil fired power plants on our system. These steps will gain great reductions in CO_2 emissions while giving us an economical way to serve the 12 million customers we expect in our service area by the year 2000.

A key feature of Edison's CO_2 policy recognizes that each sector of the economy is different. Not all sectors or individual companies can make the same level of commitment as we did at little or no cost. However, as the National Academy of Sciences reported in Policy Implications of Greenhouse Warming, it should be possible for the country as a whole to reduce its present level of CO_2 emissions by from 10 to 40 percent by the year 2030 at ". . . very low cost."

The Administration has already taken the lead with its "Green Lights" policy and other programs aimed at improving energy efficiency in all sectors of the economy, to demonstrate the economic advantages as well as emission reduction benefits of cost-effective conservation. SCE was privileged to be the first investor owned electric utility to commit to the "Green Lights" policy. I urge you to consider using the voluntary "Green Lights" model to propose a "no regrets" policy in the Convention for Climate Change now underway. This policy initiative could include commitments or targets for CO_2 or not. The important step would be to foster inquiry by all sectors of the economy on cost effective actions that could be taken to improve energy efficiency, while at the same time dealing with the CO_2 emissions question.

Sincerely,

JOHN E. BRYSON.

THE TRAGEDY OF YUGOSLAVIA

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Connecticut [Mrs. KENNELLY] is recognized for 5 minutes.

Mrs. KENNELLY. Mr. Speaker, the past 3 years have witnessed astonishing changes in the world—changes that none of us thought we would see in our lifetimes. The Communist countries of Eastern Europe were freed. The Berlin Wall fell. The Soviet Union dissolved, freed from the shackles of communism.

These changes are breathtaking; they are exhilarating. But they have a dark side. We have all been saddened by the widespread outbreaks of ethnic violence. Nowhere has this been worse, than in the former Yugoslavia.

Mr. Speaker, I am terribly saddened by what has happened to what used to be one of the loveliest of the Eastern European countries. Tourists flocked to Yugoslavia's beaches. The 1984 Winter Olympics were held in the charming city of Sarajevo. Today, that is all gone.

It is tragic that this country has been reduced to civil war—neighbor against neighbor. Those who have lived peacefully with each other for 50 years are now engaged in a brutal struggle for domination.

Yugoslavia has not been a country of harmony—except as forcibly imposed by the Communist regime under Tito. It has been a patchwork since its inception in 1918. Its history has been turbulent for that very reason. Yugloslavia is a patchwork of six major nationali-

ties, as well as a dozen other distinguishable ethnic groups—a heterogeneity accentuated by religious, historical, cultural, and linguistic diversity.

Yet, despite its turbulent history—and atrocities committed during intercommunal fighting during World War II—no one was prepared for the sudden and extraordinarily violent breakdown of order in Yugoslavia following the fall of the Communist regime. Perhaps the world should have been better prepared because Yugoslavia's history has been marked by recurring tension between Serbian efforts to dominate a centrally controlled state and other groups' resistance to those efforts.

But we were not prepared. We have not acted with dispatch. Nor have we acted with a great deal of compassion. The United States has acted as if we had little reason to do anything about this terrible situation. Yugoslavia's tragedy is that warfare has caused tens of thousands of deaths and created over 2 million refugees. Our tragedy is that we have done so little to stop it.

It is clear that the situation in what used to be Yugoslavia has spun completely out of control. The coming to power of Serbian leader Slobodan Milosevic has been the engine driving the resurgence of Serbian nationalism. The extent to which Milosevic directly controls the Serbian military and paramilitary armed forces is not clear. What is clear, however, is that he lit the fire, and has fanned the flames of Serbian nationalism. His goal is an ethnically pure greater Serbia.

But since Serbs live—or lived—in many of the republics, this drive has taken the form of a repulsive practice of ethnic cleansing. It has many manifestations: shooting of non-Serbians, expelling non-Serbians from their homes, burning their villages, deporting them to death camps and leaving them to starve to death, or die of wounds and disease. Sometimes it takes only the execution of a few in a town or a village to scare the other residents into leaving, voluntarily. Sometimes, whole villages are destroyed. Once prosperous farms now lie fallow, vacant, and deserted.

All the world has seen the footage of the death camps and been outraged.

But what has been done? The United Nations and the European Community have negotiated cease-fire after cease-fire between warring Serbian and Croatian, and Serbian and Bosnian forces. All to no avail. The Serbs do not want to stop fighting.

What has the United States done to try to bring about peace? We dawdled on recognizing the independence of Slovenia until April 1992—nearly a year after the Republic had proclaimed its independence. We sat on our hands while local paramilitary Serbian forces teamed up with the Federal Yugoslav Army in a land grab that won for the Serbs about one-third of Croatia's territory. What have we done while Serb forces have forcibly seized between two-thirds and three-quarters of Bosnian territory? Not much.

It is true that the United States has imposed economic sanctions on Yugoslavia, suspending trade benefits, assistance programs, and textile agreements, last December 6, 1991. We imposed additional sanctions in May and suspended landing rights for the Yugoslav national airline on May 20. Three days later, we severed military contacts with Yugoslavia, drew down United States embassy personnel in Belgrade, and closed Yugoslav consulates in New York and San Francisco. The United States has also refused to recognize the new Federal Republic of Yugoslavia proclaimed on April 27, 1992, by Serbia and Montenegro.

Sounds impressive? Well, it's not. What have we really accomplished with these sanctions? Nothing. The fighting has not stopped; it hasn't even diminished, except in Croatia. Even the sweeping U.N. sanctions severing all air travel, freezing all Yugoslav assets abroad, and banning all trade with Serbia and Montenegro, except for medicine and humanitarian assistance, have not caused the conflict to end.

Negotiation after negotiation has taken place. The United Nations has sent peacekeeping troops—which helped damp down the fighting in Croatia. But efforts by U.N. peacekeepers in Sarajevo to keep the airport open for airlift of humanitarian relief have been foiled repeatedly by incessant Serbian shelling.

So, what more can be done? I do not believe that negotiation is a fruitless exercise. But, for negotiations to succeed, the parties must be persuaded that it is in their interests to reach a conclusion. That will not happen until there is concerted, high-level, and sustained commitment by the U.S. Government, the European governments, and the United Nations to bring about an end to this tragic conflict.

What has disturbed me about our handling of this conflict is the apparent belief that it is insoluable. Military intervention would not work, say our armed forces, because the country is too mountainous. It would be too hard to keep open the roads for overland humanitarian relief. "I know, said one United States military commentator, "I was in Vietnam and was charged with the same mission." I guess I don't see how Vietnam's jungles are much like Yugoslavia's terrain.

At bottom, I fear, our lack of concerted action—our tentativeness and hesitation—stem from an assessment by the U.S. Government that we have no interests at stake. This is not only morally wrong, it is politically muddle-headed. This is the same attitude that we exhibited toward the Iran-Iraq war that started in 1980. Look where that got us—the Persian Gulf war of 1991, which even now, is still unsettled.

We—and much of the rest of the world—were content to let Iraqis and Iranians spend years killing each other. It was a safe way to keep two bullies occupied. At least if they were killing each other, they weren't going to be subverting their neighbors.

So, I suspect, reason our Government and those of the European countries, there are no real economic interests at stake in Yugoslavia—minimal for the Europeans and none for the United States.

But that attitude smacks of hypocrisy—that as the leading power in the world, the only superpower since the demise of the Soviet Union—the force and weight of our Government will be exerted only when our direct economic interests are threatened—such as our oil supply.

We should never forget, when we think that Yugoslavia doesn't matter—that World War I began in Sarajevo with an assassin's bullet. While the conflict may not have spilled beyond Yugoslavia's borders yet, the ugly sentiments underlying it—ethnic cleansing, ethnic purity—already, in lesser form, have surfaced in many of the republics of the former Soviet Union, and elsewhere.

Our Government's inaction reflects badly on all of us. Polls tell us that the American people are uneasy that we have done so little, and that what we have done is so ineffective.

On August 13, the U.N. Security Council voted overwhelmingly to authorize the use of "all necessary means" to ensure that relief supplies reach civilians in Sarajevo. U.N. peacekeeping forces in Bosnia are to be quadrupled from the current 1,500 level. But there is no peace to be kept. Relief supplies, while essential, do not bring peace.

What the United States, the Europeans, and the United Nations must do is make a high-level, sustained commitment to bring peace to Yugoslavia. If concerted world pressure could help bring about an end to apartheid in South Africa, surely it can help in Yugoslavia. Together, with the Europeans and the United Nations, we must use all necessary means to halt this tragedy.

FEDERAL ASSISTANCE FOR SPECIAL CENSUSES

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California [Mr. PANETTA] is recognized for 5 minutes.

Mr. PANETTA. Mr. Speaker, today I am introducing legislation which would require the Federal Government to fund special censuses that are necessary as a result of a disaster. This legislation was prompted by the fact that under current law, local jurisdiction are required to fund special censuses, even if an undercount is the result of a disaster. In the

fall of 1989, the devastating Loma Prieta earthquake struck and did extensive damage to areas in my district. The earthquake caused millions of dollars of damage and cost many lives. In addition to the physical harm done, a good number of people were displaced as a result of this disaster. Some earthquake victims remain homeless today.

Because of the displacement that occurred as a result of the Loma Prieta earthquake, the city of Watsonville was significantly undercounted in the 1990 decennial census. They have repeatedly requested that the numbers be adjusted to reflect the true number of people residing in the city of Watsonville. But, the Bureau of the Census claimed that they could not make this adjustment, but rather that a special census would be necessary. The city of Watsonville and many other localities cannot afford to fund a special census in addition to the financial burden that they are carrying as a result of the earthquake.

The legislation I am introducing is designed to ensure a fairer arrangement for jurisdictions that have been undercounted as a result of a disaster. It frankly, doesn't make sense to require local and State jurisdictions to pay for special censuses when the undercount was through no fault of their own.

Our Constitution requires that a census be taken every 10 years. The census is required to count every personal living in the United States, and it is the constitutional obligation of the Federal Government to pay for special censuses when a disaster results in a significant undercount.

Mr. Speaker, this legislation is essential. I invite my colleagues' review and cosponsorship of this important legislation and urge its timely adoption by the full House. For the convenience of my colleagues the text of the bill is printed below.

H.R. —

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

SECTION 1. AUTHORITY TO CONDUCT SPECIAL CENSUSES.

The Secretary of Commerce shall conduct a special census for the government of a State, or of a county, city, or other political subdivision within a State, for the government of the District of Columbia, or for the government of any possession or area (including political subdivisions thereof) referred to in section 191(a) of title 13, United States Code, without charge to such government, if—

(1) the special census is necessary to correct a significant undercount which occurred in the most recent decennial census of population with respect to the area involved;

(2) a natural disaster or other emergency affecting such area, as declared by the President, was a major factor contributing to the undercount; and

(3) a request for such a census is made by such government within such time and in such manner as the Secretary shall be regulation prescribe, except that the deadline for such a request may not be fixed at a point before the end of the 18-month period beginning on the most recent decennial census date.

SEC. 2. METHODOLOGY TO BE USED IN SPECIAL CENSUSES.

A special census under this Act with respect to a particular area shall, to the extent practicable, be conducted in the same manner and using the same methodologies as were used with respect to such area in the decennial census last taken before the special census.

SEC. 3. PURPOSES FOR WHICH DATA MAY BE USED.

Data collected pursuant to a special census under this Act may be used for any purpose which would be allowable if it ad been conducted under section 196 of title 13, United States Code.

SEC. 4. EXPEDITIOUS ACTION REQUIRED.

Upon receiving a request for a special census under this Act—

(1) a determination as to whether or not the criteria under section 1 have been met shall be made as expeditiously as possible; and

(2) if the criteria under section 1 are determined to have been met, the special census conducted under this Act pursuant to such request shall, in the allocation of personnel and resources, be given priority over any special census under section 196 of title 13, United States Code.

SEC. 5. DEFINITIONS.

For the purpose of this Act, the term "decennial census date" shall have the meaning given such term under section 141 of title 13, United States Code.

SEC. 6. APPLICABILITY.

(a) IN GENERAL.—A special census under this Act may be conducted to correct an undercount in—

(1) the 1990 decennial census, if appropriate application is submitted within 18 months after the date as of which regulations to carry out this Act become effective; or

(2) any decennial census subsequent to the 1990 decennial census.

(b) REGULATIONS.—Regulations to carry out this Act shall become effective not later than 3 months after the date of the enactment of this Act.

ETHNIC DISAGREEMENTS

(Mrs. KENNELLY asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. KENNELLY. Mr. Speaker, I come here tonight, as many of us in this country are thinking about the whole situation where we find ourselves some 7 weeks outside of our election for President of the United States. I have just talked a great deal about what is going on in Yugoslavia, the difficulty in Eastern Europe, the fact that so many nations held under the yoke of communism find themselves now with the ability and hopefully the future to be free. And yet they see that certain dispositions, certain hatreds, certain past situations have come to the forefront. And they have allowed themselves to indulge in these types of ethnic disagreements to the point, as I said, of hatred.

As a result, these countries that had hoped to be free, had hoped to continue into a whole new future have been bogged down in this kind of situation.

We certainly hope that Yugoslavia does not have that happen, but one cannot help but think at this point, 7 weeks out of time for our election, that we should take stock of what is happening around the world and really look to our own democratic system and know that when we are talking about what our Presidential election involves, no matter which side you are on, Republican or Democrat, that we go back to the very basics of our democratic system, being founded on freedom, the fact of free speech and tolerance.

I hope that we will do that for the next 7 weeks.

□ 1810

TRIBUTE TO JOSEPH L. RAUH

The SPEAKER pro tempore (Mr. ROEMER). Under a previous order of the House, the gentleman from California [Mr. EDWARDS] is recognized for 60 minutes.

Mr. EDWARDS of California. Mr. Speaker, more than a half century ago, when some of us were young and many of us had not yet been born, President Franklin D. Roosevelt signed an Executive order outlawing racial discrimination in the war production plants.

That Presidential Executive order had been drafted by a young lawyer, first in his class at Harvard Law School, who was soon to join the United States Army for service in the Philippines. His name was Joseph L. Rauh.

Joe had come to Washington in 1936 as a law clerk for Supreme Court Justice Benjamin N. Cardozo. The following year he had clerked for Justice Felix Frankfurter.

Joe Rauh entered the private practice of law in 1947. From that day on he became the Nation's leading defender of the American people's constitutional and civil rights. When Joe passed on Thursday, September 3, we lost the people's most formidable force for decency and fairplay.

Mr. Speaker, I know that a number of my colleagues who are speaking today will review the remarkable career of Joe Rauh and his enormous contributions to our country. It was my privilege to know him personally, to be honored by a warm and affectionate friendship with him, his wonderful wife, Olie, and his two talented sons, Michael and Carl. Joe and his family have played an enriching role in my life, and that of my wife, Edie Wilkie, for many years.

I first met Joe and Olie Rauh in about the year 1948 when I attended the national convention of the Americans for Democratic Action here in Washington, DC. Joe, with Eleanor Roosevelt, Walter Reuther, Reinhold Niebuhr, and others had founded the ADA in 1947 to support liberal causes and to oppose communism. From that date until the present, Joe and Olie have been important influences in my personal and political life. I have a deep feeling of loss and bereavement

that has darkened every hour since I learned of Joe's passing.

I was sworn in as a freshman Congressman in January 1963, and as a new member of the House Judiciary Committee almost immediately became involved in President John F. Kennedy's effort to have Congress enact the omnibus civil rights bill. It was able to be enacted by the House and Senate only after his assassination in November and after the new President, Lyndon B. Johnson, in 1964 asked Congress to pass the bill as a monument to the martyred President Kennedy.

During the entire process of endless hearings and negotiations by Judiciary Committee members, Joe Rauh was my constant adviser and confidant. He was the same for key members of both the Senate and House committees, and it is clear that the very strong law that emerged had Joe Rauh's mark on every important paragraph.

For the next three decades the intense contests continued in Congress, the Voting Rights Act of 1965, the Fair Housing Act, the seating of the Mississippi Freedom Democratic Party, and the final elimination of the abusive House Un-American Activities Committee. Joe was a trusted adviser in all of these endeavors, at all times supported and comforted by the eloquent editorial writer for the Washington Post, Alan Barth.

Mr. Speaker, a remarkable aspect of Joe's tumultuous career, where day after day, year after year, he did combat with some of the country's most powerful adversaries, he never made any personal enemies. Like Franklin Roosevelt he was the true happy warrior who never, never, spoke an unkind personal word. His battles were always on the issues, never the personalities.

In my total experience I have never known a more kindly, lovable person.

Mr. Speaker, in March 1991, Joe Rauh submitted his resignation as general counsel of the Leadership Conference on Civil Rights. At the dinner on May 17, Joe responded to the avalanche of tributes and thanks by saying in part:

> Together we forged a revolution in the law of our country from a legal system that supported segregation and discrimination to one that bars both those cruel blots on our Nation.
>
> Together we dreamt of a fairer and more equitable society built on the firm foundation of this new legal system.
>
> Together we worked to make those dreams come true and our determination to do so remains unshaken.

And Joe ended his remarks by repeating these lines from an old hymn of hope:

> We have come this far always believing that justice will somehow prevail. This is the verdict, this is the promise, and this is why we will not fail.

Ms. NORTON. Mr. Speaker, will the gentleman yield?

Mr. EDWARDS of California. I yield to the gentlewoman from the District of Columbia.

Ms. NORTON. Mr. Speaker, I rise to pay tribute to my dear friend and counselor, my mentor and constituent, Joseph L. Rauh, a man whose unique contributions include many for which this body now takes credit.

This House, Mr. Speaker, is full of Members on both sides of the aisle who would agree that Joe Rauh made a greater contribution to legislation that has civilized our Nation's approach to human rights, civil liberties, and workers' rights than most Members, past or present.

Joe was a creator of modern liberalism. He was not simply there at the creation, he used his brilliant mind and indominable energy to create and recreate solutions to the changing challenge to American liberalism and American life throughout his own lifetime.

In 1986, Joe retired from active law practice after almost half a century, almost 50 extraordinary years. Characteristically, he did not leave his post as general counsel of the Leadership Conference on Civil Rights, a post that was one of the anchors of his leadership and perhaps his most devoted cause.

That devotion, as measured by Joe's diverse and long list of contributions, was unequaled, to civil rights and civil liberties, to American labor and working men and women, and to full equality that his leadership has by now all but gathered under the umbrella of equal protection under law.

If Joe had had only one of the extraordinary talents he gave so generously to others, he would have buoyed mightily any of his multiple causes: His indefatigable energy alone; his extraordinary analytical and creative mind, by itself; his principled, often lonely dedication to issues on which others wavered; his extraordinary stump speaking ability; his unflagging determination to stick with issues abandoned by others with greater ease; his original wit.

Any one of these talents, applied to Joe's crusades, would have brought them riches hard to match. But when Joe landed on a cause with all his talents and energy combined, you had best pray not for yourself but for the opposition, because you are going to win. It might not be instantaneous as it was when he orchestrated Hubert Humphrey's successful civil rights challenge during the 1948 Democratic National Convention. That was of course the first and most dramatic blow that transformed first the Democratic Party and then our country.

□ 1820

Sometimes it took longer, as his lifelong fight for civil rights did, as his fight against corruption in the United Mine Workers did, as his vindication in the fight for civil liberties against McCarthyism did, and as his fight for statehood for the District of Columbia did.

Because Joe knew he was tackling his country's most resistant problems, he early became a long-distance runner. Like champion marathoners, he got better with each race. No man or woman ran more worthy races in his time. No man or woman got to the finish line more often. No man or woman in private life has served the public better.

Mr. Speaker, the balcony above this chamber has often made history by virtue of some who sat there. Joe Rauh time and again sat there to see what he had shaped become law. Today we stand here in the well to honor Joe.

Joe needed no honors to spur him on. The memory of his awesomely productive and principled life, however, will spur on Americans in this chamber, in the Senate, and in this country.

Mr. Speaker, I have written remarks I have just made because I wanted to make sure that the highlights of Joe's great meaning to the public were in the printed RECORD. But if I may, Mr. Speaker, I would like to say a few words about what it was like to have the great privilege to work with and to work for Joe Rauh.

I first had that privilege as a young woman fresh out of law school who thought she was on her way to Mississippi for the second consecutive year to work with Bob Moses in the Delta. After all, the Mississippi Freedom Democratic Party had been formed, and I wanted to go back in order to help bring the members of the party to the Democratic National Convention in New Jersey, and to work with them a few months before doing so. I had just finished the bar exam, and I talked to Bob Moses, the leader of the party in the Delta region, and he said, "Oh no, ELEANOR, I want you to stay right where you are, because Joe Rauh is writing the brief for the Mississippi Freedom Democratic Party, and we don't have many law students who are members of SNCC, so we ask you to stay right there and to go down and talk with Joe Rauh. He knows you're coming."

And so I went down to talk to one of the great lawyers of my time, thrilled to have the opportunity, thrilled to have the opportunity to work for Joe. And what I discovered was a man who did not allow people to work for him. What I discovered was a lawyer who treated all his associates as associates, those who were in law school, those who were fresh and green out of law school.

So that summer I worked as a colleague with one of America's great lawyers. It is impossible for me to describe the thrill it was as a young woman just out of the bar review course of the bar itself going downtown every day to work "with," as he insisted, Joe Rauh. And so we would sit around the table in his library, he and a young man, I believe it was Miles Jaffrey, green like

me, and Joe Rauh. And he would discuss the unprecedented issues in the Mississippi Freedom Democratic Party Challenge as if more than he at the table knew what he was talking about. And he would indicate where he thought we might go that day as we sojourned to the law library at the Library of Congress. And each and every day we would come back and talk about what we had found, and give him what we had written, and hear what Joe sitting at his library table, as if he and we were working for paying clients somewhere, never rushing us so that he could get back to some other work that surely paid him more, as this paid him nothing, except what all of his crusades paid him, and it was each and every day a great thrill not simply to be in his presence, but to see the way his extraordinary mind operated.

On one level there was sheer brilliance. On another level there was sheer creativity. And on some level all of those things came together and made us just shake our heads. Believe me, you needed all of those in a mentor to work on this brief, because after all, the Mississippians had not exactly gone to the meetings of the Democratic Party in any structured way. They had simply gone as other Mississippians had gone, to seek to be a part of the caucuses.

When all was said and all was done, that little brief has come for me a more prized document than the briefs, many more in number, that I helped write as an assistant legal director for the American Civil Liberties Union to the Supreme Court of the United States, and then there were wonderful causes, there were briefs about the first amendment, and there were briefs about the fourth amendment, and the fifth amendment. There were briefs about almost every amendment, and there were briefs of certiorari, and there were briefs to the Court itself on cases argued before them. But there was no brief like the Mississippi Freedom Democratic Party brief, because there was no lawyer with whom I have been associated that was the equal of Joseph L. Rauh. And somehow it never stopped.

When I finally got to this Chamber I was not surprised to see him here as well. During the Clarence Thomas hearings, there was Joe. During our great fight, the fight of the last year to get the Civil Rights Act of 1991 passed, there was Joe. Joe was always there, and always more than there. He was there for us, he was there with his gifts. He was always there for me personally. There have been times in my life when I needed not only his wonderful mind and his great wit, and his public gifts, but his private counsel, and he was as generous with that as he was with his public gifts.

And so, Joe has left me. And there are times when I shall have no one to turn to, because Joe was and is irreplaceable.

□ 1830

When you have unique gifts and you have so many of them and you leave, you leave all of us without the slightest hope that there will ever come this way one like you.

But what Joe created, instead, was a legion of disciples who feel that they must reach for his high standards. Without his gifts, we must somehow try to be like him.

Leave it to Joe; ever the romantic, always full of wit, he has had the last laugh because he has left us and left us the impossible, for every day when I am in this Chamber I shall look up and I shall remember Joe and I shall remember that he has left me an impossible mission to reach.

And so he has left me with the ultimate existential goal, to reach and then reach further and then when you have reached that goal, reach further still; for to the very last day of his life that was the way he conducted his life.

We thank Joe, Mr. Speaker, we are grateful for his family which had lent him to us on so many of their own hours. We know that his work and his life shall always inspire us all.

Mr. EDWARDS of California. We thank the gentlewoman for those very eloquent words. I am wondering if the gentlewoman remembers—I think she was too young—but it is historical that Joe and two or three friends desegregated Washington, DC. It was a segregated southern city when Joe and Olie moved here, and it was just about the first city in the country that was desegregated, with their arduous, skillful efforts.

I am sure the gentlewoman has heard that when she was in law school.

Ms. NORTON. I certainly did. And in the very first year of the sit-ins, when I came home from college and was looking for places to go to sit in, Joe was right there with the young people, helping them to find places to go to sit in.

Joe, of course, was one of the first great crusaders for the elimination of discrimination in this, my hometown. That was perhaps his greatest local fight.

Mr. EDWARDS of California. And the gentlewoman remembers, and mentioned in her wonderful remarks, his leadership of the Mississippi Freedom Democratic Party that in the election actually won the election but was declared illegal. When Fannie Lou Hamer, one of the candidates who claimed victory, and two other women from Mississippi came to Washington, Joe came to me and Manny Cellar and said that they are entitled to sit in the House during a vote on whether or not they will be accepted. And they sat right over there to my left. There was quite a space around them. I remember a few of us went down and sat with them.

Joe had told us that was the thing to do, that they were entitled under the rules to be here waiting for the vote.

It was quite an important moment in my life.

During the consideration of the omnibus civil rights bill in 1964, there was a speaker who was standing exactly where the gentlewoman is now in the well, and from that door over to my right a white person in blackface burst in. He had been hidden in the men's room that is behind that door. And he came in with obscene remarks and rushed up to where the gentlewoman is standing. The police came in.

That is the kind of world we had then. That is the kind of world we hope we do not have now.

So much of that is due to the efforts of Joe and people like the gentlewoman in the well, and we are very grateful for her wonderful remarks today.

Ms. NORTON. I thank the chairman. The chairman is referring to the occasion when Fannie Lou Hamer, herself, ran for Congress and thereafter challenged the seating of others in this body. The gentleman mentioned that Joe pointed out that she was entitled to sit while the matter was being decided. What the gentleman reminds me of is Joe was, among other things, a great technical lawyer. That is to say he had all of the wonderful flourish of the great legal orators in the history of the United States. But he had something many of them did not have; that was the command of the technical legal details.

So that I am not surprised that Joe had researched the law and put together an argument for doing what at that time most of us would have considered impossible, and that is to seat the likes of Fannie Lou Hamer on the floor of the House of Representatives.

I again thank the chairman.

Mr. EDWARDS of California. Mr. Speaker, I yield to the gentlewoman from Hawaii [Mrs. MINK] who was a good friend of Joe Rauh's and who has been a champion of civil rights for many years. And we welcome her back.

Mrs. MINK. I thank the chairman, the distinguished chairman, for yielding me this opportunity to rise and join my colleagues in expressing our deepest sorrow in the loss of a good friend, whom I have know for years, and a great American, of course. I will sorely miss the moral vision and political inspiration that Joe Rauh provided so many of us for such a long period of time.

I do not know quite how many of us are going to adjust to the fact that we cannot rely on his wisdom and his strong advice and leadership that he has provided our Nation, telling us when we ought to be doing something or when we ought not to be doing something. He always stood for what

was right. It is fitting this afternoon that we honor Joe by remembering his tireless and courageous struggles on behalf of those who were neglected, excluded, or repressed by Government and society.

More fitting still, we must carry Joe's vigilant pursuit of freedom, equality, and opportunity for all Americans on into the 21st century.

I first met Joe Rauh at the 1960 Democratic National Convention when we worked to put together a strong civil rights plank in the Democratic platform. It was an enormous, exciting experience for me to witness the effectiveness of Joe and the intensity of his commitment to things that I cared about. During the nomination process I witnessed his vigorous demonstrations as each matter was debated. He taught me the importance of intensity, of belief and commitment, not just a superficial awareness or consciousness, but getting out there to work and do the hard things that are necessary in order to make progress.

For more than 30 years our paths have been interwoven in a variety of causes of civil rights and civil liberties. Joe was an effective lawyer, and he distinguished himself in the legal field in so many ways. But unlike most lawyers, he was willing to play the hard battles on the political field as well. And he was an astute, key principal leader in turning the Democratic Party around to an awareness and a consciousness of their responsibility for racial equality. I can think of no one who played that role more importantly and more effectively as a political leader than Joe Rauh.

□ 1840

In 1948, way back then, he helped to write the Democratic Conventions, his historic civil rights plank, and in 1960 brought it to its living potential, which then as we all know was enacted in 1964 as the Civil Rights Act.

He argued the Mississippi Freedom Democratic Party's case to the convention credentials committee, and all of us who were there and witnessed it can remember that electrifying appearance that he made, accompanying Fannie Lou Hamer, something that I shall never forget.

And of course, his efforts involving all our efforts in civil rights, in voting rights and rights for women and minorities and the disabled, he was such a powerful thinker. He could think in the future and he could analyze all these different nuances of things that people were raising and barriers of one thing or another, and penetrate them with such brilliance, enabling our country to steer the right course in terms of civil liberties and basic human rights in this country.

In the early seventies, I recall when I served in the Congress, he organized opposition to the confirmation of Supreme Court nominees Haynesworth and Carswell, and again it was not just the brilliance of the arguments that he brought in testifying that these people should not be confirmed, but being able to generate with his enormous capacity to organize people, to have correct thinking about these matters and to bring that force to bear so that these two gentleman were ultimately not confirmed.

His presence, of course, was noted in the recent confirmation of Clarence Thomas.

Throughout his whole career he fought to break down these barriers of racial segregation and to point out the hypocrisy of privilege in our society when we are based upon the simple concept of equity and quality.

I must say that there are so many things that I can remember about Joe Rauh. We worked together in the Americans for Democratic Action. I had the privilege of serving as President of that organization for 3 years. He was always present every time we had a big issue or Presidential candidate to endorse. He was always there providing the organization with leadership in his capacity to understand the political nuances of Presidential campaigns was always amazing.

But for me, I must end my remarks by acknowledging the gratitude of the Japanese-American community for what he did in understanding the plight and the suffering of that community in World War II. He began a legal movement really to raise the issue of the unfairness and injustice of the treatment of Japanese-Americans who were interned in these camps in World War II. It was his relentless arguments and tenacity in hanging onto this issue, he took the infamous Hirabayashi decision to court and argued for its rescission and for the restitution of the Japanese-Americans for the lands that had been seized from them.

In the end, I believe that history will credit his early championing of this cause and the ultimate repeal of the Executive Order 9066 and the Presidential decision to never again in this country to tolerate that kind of treatment of our citizens and the persons who are legally within our country. The repudiation of that Executive order paved the way ultimately for the Congress of the United States finally to enact the law that provided reparations to those who suffered during that period.

There are countless other examples, I am sure, that other Members can recount, but surely America is a better place, a safer place, our constitutional rights are more secure because Joe Rauh dedicated his life to their preservation.

Mr. EDWARDS of California. Mr. Speaker, I thank the gentlewoman from Hawaii for those wonderfully eloquent remarks.

The gentlewoman from Hawaii mentioned the redress bill, the Civil Liberties Act of 1988. The author will be the next speaker, who was assisted, of course, in its enactment by the gentleman from California [Mr. MATSUI], the gentlewoman from Hawaii [Mrs. MINK], and numerous others and, of course, encouraged by Joe Rauh at the Leadership Conference on Civil Rights. It indeed was a great victory for America, not only for the Japanese-Americans who had been treated unconstitutionally and so cruelly, but for all of us. The author of the bill, the leader is here.

Mr. Speaker, I yield to the gentleman from California [Mr. MINETA].

Mr. MINETA. Mr. Speaker, it is an honor for me to join my colleagues as the House honors the late Joseph L. Rauh, Jr.—surely one of the greatest civil rights advocates of this or any other century. And I would like to express my appreciation to my colleague from San Jose, Congressman DON EDWARDS, a Member of this body unequalled in his devotion to protecting everyone's civil and constitutional rights, for reserving this time for this appreciation of our friend Joe Rauh, who passed away on September 3.

For more than 50 years, Joe Rauh stood up for the rights of the American individual, even when it was extremely difficult to do so.

Forty-five years ago—after clerking for two progressive U.S. Supreme Court Justices, Felix Frankfurter and Benjamin Cardozo—Joe Rauh helped found Americans for Democratic Action. And just 1 year later, Joe Rauh wrote that most controversial section of the Democratic National Committee platform which proclaimed civil rights for all Americans.

Today, Mr. Speaker, when our President strains to liken himself to Harry Truman, it is important to remember those principles for which Harry Truman stood. Harry Truman stood for and spoke for universal civil rights at a time when segregation divided the Nation. That is who Harry Truman was: a leader. And one of the men helping Harry Truman take that lead was Joe Rauh in 1948.

I could go on, Mr. Speaker, and talk about Joe Rauh's fights against McCarthyism in the 1950's and for fair housing throughout America in the 1960's. I will leave that to others, however, and speak only of one fight—a fight that Joe Rauh valiantly fought, but lost. The fight was about the internment of Americans of Japanese ancestry during the Second World War.

Japanese-Americans had few friends in those days, and there were very few people who tried to argue on our behalf for our rights.

In early February 1942, U.S. Attorney General Francis Biddle asked three lawyers to evaluate the legality of any evacuation and internment. One of

those lawyers was Jose Rauh, who was then working in the Office of Emergency Management.

Yes, the memorandum they produced contended that the evacuation was legal; and I consider it an American tragedy that the U.S. Supreme Court has to this day refused all petitions to declare that the evacuation was in fact unconstitutional.

However, the memo Joe helped write said in part, and I quote, "It is well to remember that unnecessarily harsh action is not justified just because the legal power to take such action exists."

Joe Rauh later wrote, and again I quote, "The memorandum was the final effort by the three of us to prevent evacuation and internment."

□ 1850

Mr. Speaker, this was not a popular position to take at the time. In the days leading up to Executive Order 9066, which officially ushered in the evacuation and internment of Japanese-Americans, our Nation suffered from wartime hysteria, racism, and weak political leadership.

Joe Rauh did what he could to mitigate the tragedies he sensed were coming. That foresight and vision were the hallmarks of Joe Rauh's career and his work.

Throughout his life, Joe Rauh was there fighting for civil rights. He deeply cherished the belief that, for all our diversity, Americans can live together with dignity and respect.

Joe Rauh dedicated his life and his career to making that belief a reality. Joe and Olie were close friends of my late brother-in-law, Mike Masaoka and his wife, Etsu, my sister. We are all going to miss this warm and wonderful gentleman, but because of Joe Rauh we are a better Nation and a better people.

Mr. EDWARDS of California. Mr. Speaker, we are grateful to the gentleman from California [Mr. MINETA] for those moving remarks. I know how highly Joe thought of NORMAN MINETA, and of course the gentlewoman from Hawaii [Mrs. MINK] and the gentlewoman from the District of Columbia [Ms. NORTON], and I know how delighted he was when the redress bill was finally passed. It was one of the great moments in American history.

Mr. Speaker, I do not think Joe would want us to be sad on this day. I think that he would want us to be celebrating his life, which I believe we are, and the gentlewoman from the District of Columbia [Ms. NORTON] mentioned his wit and good humor which was extraordinary at all times.

Those who participated in the baseball games, the softball games on Sunday morning in the park, with Joe and the rest of the friends will never forget the joy that emanated from him as he stood up to bat and hit the ball out of the park. Then there was his ardent game of tennis.

I will not forget that he certainly was not afraid of Joe McCarthy, one of the few, nor was he afraid of the House Un-American Activity Committee that had Hollywood, and indeed many people in the United States, terrorized for years.

When the famous playwright Arthur Miller, was subpoenaed to appear before the committee, he and Marilyn Monroe stayed at the Rauh home, and with a twinkle in his eye, Joe told us that Carl and Michael, who were just boys then, came down to breakfast on Sunday morning, and there, sitting at the breakfast table in a negligee, was Marilyn Monroe. I am sure that was an experience for all of them.

Mr. Speaker, as has been mentioned, Joe Rauh was one of the founders of Americans for Democratic Action. The national board of ADA on September 12, 1992, unanimously adopted a resolution in tribute to Joe.

I would like to insert as part of this special order the text of that resolution:

JOSEPH L. RAUH, JR.

On Thursday, September 3, a giant fell.

Joseph L. Rauh, Jr.—Joe—ADA founder and leader was irreplaceable and without peer. Throughout his life, Joe served as our friend, our mentor and our conscience.

His vision created and nurtured us. His steadfast determination kept us on track. His ideas kept us thinking and creating—always on the cutting edge. Always a liberal, never a progressive, he never shied away from the tough battle. His unabashed liberalism ensured we never did either, whether the fight was over a piece of legislation, a judicial appointment, the rights of individuals or an idea for effecting basic change in the direction of government. Always he was and shall be our model. His spirit became our spirit and we shall be eternally grateful to him.

The legacy he left to ADA, the country and generations of liberals yet to be born is matchless.

To his wife Olie, his sons Carl and Michael, and to his grandchildren go our heartfelt condolences and our deepest gratitude for sharing his magnificent spirit with us.

Mr. Speaker, a number of newspapers, the London Times, the New York Times, the Washington Post and others, have published tributes to Joe Rauh in recent weeks. I would like to insert at this point several of these articles.

The articles referred to are as follows:

[From the Los Angeles Times, Sept. 5, 1992]

JOSEPH RAUH: CIVIL RIGHTS LAWYER, LOBBYIST

(By Myrna Oliver)

Joseph L. Rauh Jr., a Washington civil rights lawyer and advocate who founded the liberal Americans for Democratic Action, has died. He was 81.

Rauh suffered a heart attack Thursday night when he returned home from a reception. He died at Washington's Sibley Hospital.

A great friend and supporter of Vice President Hubert H. Humphrey, Rauh was a major lobbyist in winning passage of the Civil Rights Act of 1964, the Voting Rights Act of 1965, and the Fair Housing Act of 1968.

"I'm proud of our laws," he once said. "What our generation has done is bring equality in law. The next generation has to bring equality in fact."

Born Jan. 3, 1911, in Cincinnati to an immigrant shirt manufacturer, Rauh excelled in athletics in high school and played on the varsity basketball team at Harvard College.

"It has been suggested," one biographer noted, "that it was as a member of that undermanned squad that he really acquired his sympathy for the underdog."

Graduating with an economics degree into the Great Depression, Rauh opted to go to Harvard Law School, earning his degree at the head of his class.

He spent his entire career in the capital, starting out as senior law secretary to liberal Supreme Court Justice Benjamin N. Cardozo. He also worked as enforcement attorney for the Wage and Hour Administration and as counsel for the Lend-Lease Administration.

Joining the Army in 1942, Rauh was attached to the staff of Gen. Douglas MacArthur as lend-lease expert. He advanced to the rank of lieutenant colonel and earned the Legion of Merit and Distinguished Service Star.

In 1946, Rauh organized the anti-Communist, liberal organization that became known as the Americans for Democratic Action. It was begun not only to launch political campaigns against conservatives, but also as a barrier against the extreme leftist Progressive Party.

He chaired the ADA's executive committee from 1947 through 1952, held the title of national ADA chairman from 1955 to 1957, and for many years served as vice chairman.

A senior partner of the firm he founded in 1947, Rauh & Levy, he attracted primarily labor and civil rights clients. These included the United Auto Workers and Brotherhood of Sleeping Car Porters, as well as playwrights Lillian Hellman and Arthur Miller, both accused of contempt after refusing to identify writers and artists known to be communists.

In answer to assertions that the Americans for Democratic Action had outlived its usefulness after the end of the McCarthy era, Rauh said in 1955: "It is a group of independent-minded people grappling with the old-line machines of both parties on behalf of good government."

He said the group continued to be needed to champion civil rights, health insurance and "real" public housing.

Active in several national Democratic conventions, Rauh futilely favored Humphrey over the 1960 nominee, John F. Kennedy.

Influential among mainstream Democrats, Rauh was elected in 1964 to a four-year term as chairman of the District of Columbia Central Committee of the Democratic Party.

He was also active as a lifelong member of the National Assn. for the Advancement of Colored People.

In 1965, Rauh received an ADA citation "for the happy life of service to a humane and civilized democracy."

[From the New York Times, Sept. 5, 1992]

JOSEPH RAUH JR., GROUNDBREAKING CIVIL LIBERTIES LAWYER, DIES AT 81

(By Wolfgang Saxon)

Joseph L. Rauh Jr., for decades one of the nation's leading champions of civil rights and liberal causes, died Thursday night at Sibley Memorial Hospital in Washington. He was 81 years old.

Americans for Democratic Action, which Mr. Rauh helped found 45 years ago, said he

died soon after suffering a heart attack at his Washington home.

For almost half a century Mr. Rauh was among America's foremost civil liberties lawyers, battling McCarthyism, laying the foundation for much of the civil rights legislation of the 1960's and serving as a leader not only of the A.D.A. but also of the National Association for the Advancement of Colored People and the Leadership Conference on Civil Rights.

NEVER LOST HIS ZEAL

"Joe's imprint was all over the civil rights era," Benjamin L. Hooks, the N.A.A.C.P.'s executive director, said yesterday.

Mr. Rauh (the name rhymes with "brow") went to Washington to "work for the New Deal," as he once put it, and in a sense he never stopped doing so. A number of his old associates later despaired of the fight for groundbreaking social programs, and some turned their backs on liberalism entirely. But as Mr. Hooks noted, Mr. Rauh "never lost his zeal for the battle."

Much of his work was performed for little or no pay. "Other people may have made more money," he said in 1985, his 50th year in Washington. "But no one has had more fun."

FROM HARVARD TO WASHINGTON

Joseph Louis Rauh Jr. was born in Cincinnati on Jan. 3, 1911, where both his father and his grandfather, German-born immigrants, had settled and begun manufacturing shirts. He entered Harvard University, majored in economics, played center on the basketball team and, in 1932, graduated magna cum laude.

After graduation from Harvard Law School, where he was first in his class, he served at the Supreme Court as a law clerk, first to Justice Benjamin N. Cardozo and then to Justice Felix Frankfurter. During this period he also counseled several New Deal agencies as well as the Lend-Lease Administration.

Commissioned an Army lieutenant in 1942, he joined Gen. Douglas MacArthur's staff as a lend-lease expert. He was reassigned to the Pacific Command's civil affairs section, rose to the rank of lieutenant colonel and won decorations, including the Distinguished Service Star (Philippine Islands).

After the war Mr. Rauh returned to Washington, went into private practice and undertook his civil liberties career in earnest.

THE FOUNDING OF THE A.D.A.

He was a member of a small group of people who in 1947 founded Americans for Democratic Action, which they conceived as a liberal stronghold that they would prevent from being hijacked by Communists. Mr. Rauh was the organization's chairman from 1955 to 1957 and remained active in it for the rest of his life. At his death, he was an A.D.A. vice president.

Mr. Rauh was a regular participant at the Democratic National Convention, a role that in 1948 allowed him to make a milestone contribution to civil rights. That year he had a leading part in writing a strong civil rights plank that was adopted in the party's platform and provided a foundation for much of the Federal rights legislation that would be enacted in the decades ahead.

But he was perhaps better known for his strenuous Capitol Hill lobbying on behalf of such bills. That lobbying was prominent in passage of the Civil Rights Act of 1964, the Voting Rights Act of 1965 and the Fair Housing Act of 1968.

By the 1950's Mr. Rauh was the nation's premier civil liberties lawyer, and he took aim at efforts, then in full swing in Congress, to compel testimony as a way of identifying Communists across a broad spectrum of American life.

Among his clients were the writers Lillian Hellman, who was subpoenaed by the House Committee on Un-American Activities in 1952, and Arthur Miller, who was indicted on contempt charges in 1956 for refusing to identify for the committee former associates with left-wing sentiments. Mr. Miller was convicted of the charges but was later cleared by a Federal appeals court.

BACKER OF U.M.W. REFORMS

Another Rauh client, in the early 1970's, was Joseph A. Yablonski, the challenger to W.A. (Tony) Boyle's corrupt leadership of the United Mine Workers. After Mr. Yablonski, his wife and their daughter had been found slain at their Pennsylvania home, Mr. Rauh was among those who pressed for a Federal investigation that ultimately found that Mr. Boyle had ordered the slayings. In April 1974, Mr. Boyle was convicted of first-degree murder.

At various times Mr. Rauh also represented Walter Reuther's United Automobile Workers; the Mississippi Freedom Democratic Party, formed as a counterpart to the state's segregationist Democratic Party, and the Leadership Conference on Civil Rights, an umbrella organization for which he was general counsel for more than 40 years. He also sat on the executive board of the N.A.A.C.P.

But of the many figures he encountered over the decades, he said in 1985, he was perhaps most fond of A. Philip Randolph, longtime head of the Brotherhood of Sleeping Car Porters. "Mr. Randolph—I never called him anything but Mr. Randolph—was the most dignified man who ever lived," he said.

Mr. Rauh had abandoned the practice of law in recent years but to the end kept an active schedule as a public speaker. He also continued to lobby strenuously against the Reagan and Bush Administrations' conservative nominees to the Supreme Court. And he remained mindful of a national legacy that he helped create.

"I'm proud of our laws," he once said. "What our generation has done is bring equality in law. The next generation has to bring equality in fact."

Mr. Rauh is survived by his wife of 57 years, the former Olie Westheimer; two sons, B. Michael Rauh and Carl S. Rauh, both lawyers in private practice in Washington, and three grandchildren.

[From the New York Times, Sept. 5, 1992]

DEMOCRACY'S PITCHMAN

The life story of Joseph Rauh, who died on Thursday at 81, had many histories. The most famous, perhaps, were his strenuous lobbying in behalf of every major civil rights bill from 1957 on, his battle against McCarthyism and his struggles over the conscience and membership of the U.S. Supreme Court

He was also the proud partner of Clarence Mitchell when the two served as co-chairman of the Leadership Conference on Civil Rights. He treasured the day when Senator Harry Byrd Sr., the Virginia segregationist, gestured toward the gallery and cried, "There they are, the Gold Dust twins."

Generations of Washingtonians enjoyed the spectacle of the private Joe Rauh holding forth on a softball diamond on Sunday afternoons. When he chose up sides with Alan Barth, the Washington Post editorial writer, he did so shrewdly and competitively after scouting the day's array of talent.

Pitching for his side, he would hurl the ball past all batters, old and young, male and female, with equal speed and spin. Later, over lemonade, he'd savor the day's political developments and tell of his hopes and worries for a Supreme Court he had revered since his time as law clerk to Justices Benjamin Cardozo and Felix Franfurter.

He continued to thank the Court until the end. A friend who saw him at lunch Thursday heard his guarded optimism about the election and his prediction that Democratic appointees could help correct the Court's rightward course.

Mostly he pitched for democracy. His deep, craggy voice resonated through the halls and chambers of Congress. He demanded to be heard and he got his hearings through lean and fat years for his causes. Those who knew him will miss his attentiveness—and his pressure on others to be attentive—to human rights. Many who never knew him are the beneficiaries of that pressure and passion.

[From the Washington Post, Sept. 5, 1992]

JOSEPH L. RAUH JR., A LIFE OF ACTIVISM; CIVIL RIGHTS LAWYER CALLED EMBODIMENT OF AMERICAN LIBERALISM

(By Bart Barnes)

Joseph L. Rauh Jr., 81, who died of a heart attack Thursday night at Sibley Memorial Hospital, was a legal and political activist and a major influence in the growth and development of political liberalism in 20th century America.

Rauh was a champion of racial integration and the rights of minorities, labor unions, union reform and home rule for the District of Columbia.

His legal career began in the New Deal and extended through the civil rights period and the antiwar movement of the Vietnam era.

Exuberant, optimistic, idealistic and irrepressible, he believed passionately in the causes he supported, and he fought for them vociferously.

Rauh, a Washington resident at the time of his death, was a founder and former president of Americans for Democratic Action and a member of the executive board of the NAACP.

He wrote the minority civil rights plank at the 1948 Democratic National Convention that provided that foundation for much of the human rights and equality-under-law legislation that was passed in the ensuing decades.

Newpapers sometimes described him as "the personal embodiment of American Liberalism." Rauh was an engaging conversationalist and storyteller.

He used to say he acquired his sympathy for the underdog as a result of playing three years on a hapless Harvard basketball team.

As a lawyer, he took only those cases he believed in, and he suggested that no lawyer ever should do otherwise. He was disdainful of bar associations, and unlike many of the other young lawyers who came to Washington with the New Deal, he remained an advocate of the outcast and downtrodden throughout his career.

Joseph Louis Rauh, Jr., was born in Cincinnati, where his father, a German immigrant, operated a shirt factory. He graduated from Harvard College and the Harvard Law School, where he was first in his class.

In 1936, he came to Washington as law clerk to Supreme Court Justice Benjamin N. Cardozo. The following year he clerked for Justice Felix Frankfurter, who had been one of Rauh's professors at Harvard. Later he was an enforcement officer for the Wage and Price Administration and counsel to the

Lend-Lease Administration and other agencies.

In 1942, he joined the Army for World War II service. He served in the Philippines. In 1945, he returned to Washington and became deputy to Wilson Wyatt, the head of the Veterans Emergency Housing Program.

In 1947, he joined Wyatt and other liberals in resigning from the government to protest what they perceived as growing conservatism in the Truman administration. Rauh opened his law practice in Washington at that time.

Among his first clients were Walter Reuther and the United Auto Workers of America. He also represented artists and government employees accused of being security risks during the "Red Scares" of the 1950s, Quakers who challenged Interior Department limitations on the number of demonstrators permitted near the White House, the musicians union at the National Symphony Orchestra and the Brotherhood of Sleeping Car Porters.

Although he considered communism "a shabby cause," he opposed legislation such as the Smith Act and the McCarran Internal Security Act, which outlawed membership in the Communist Party and required that it be reported to the government.

It also was in 1947 that Rauh collaborated with Eleanor Roosevelt, Walter Reuther, Reinhold Niebuhr and others in founding Americans for Democratic Action. Started to support liberal causes and oppose communism, the organization came to embody many of the most important strains of American liberalism, and it was much prized as a target by conservatives. For much of its early existence, Rauh was its primary spokesman.

From 1947 to 1967, Rauh was chairman of the city's Democratic Central Committee, and he transformed the organization from a clubby group of party regulars to a broadly based popular movement that became a driving force for home rule in the nation's capital.

In 1947, years before the Civil Rights Movement became a national cause, Rauh marched on picket lines outside the National Theatre to protest the exclusion of black people from the audience, and over the years, he became a leading figure in opposition to racial segregation in Washington.

He was general counsel for the Leadership Conference on Civil Rights, and he was an influential lobbyist for virtually all of the major civil rights legislation of the 1950s and 1960s.

In the summer of 1964, he attracted national publicity with his representation of the Mississippi Freedom Democratic Party in a challenge to the seating of the entrenched, all-white Mississippi Democratic Organization at the Democratic National Convention.

Arguing the Freedom Party's case before the convention's Credentials Committee, Rauh called on a stream of witnesses who electrified the convention with their testimony about Mississippi police brutality and systematic victimization of blacks seeking to vote. But he failed to unseat the regular Mississippi delegation and eventually settled for a compromise that included two at-large convention seats for the Freedom Party.

In 1969, Rauh represented Joseph A. "Jock" Yablonski in his effort to unseat W.A. "Tony" Boyle as president of the United Mine Workers of America. After Yablonski, his wife and daughter were murdered in their Pennsylvania home, Rauh helped bring about a federal investigation into the slaying. Later he played a pivotal role in helping reform candidate Arnold R. Miller unseat Boyle as union president. Boyle later was convicted of complicity in Yablonski's murder and jailed, along with other union officials.

As counsel for the NAACP Legal Defense Fund, Rauh instituted a 1972 lawsuit that during the next decade brought about a series of federal ultimatums for the dismantling of racially segregated school systems in 17 Southern and border states.

Not only did Rauh prevail as a matter of law in that case, he also won a federal court order directing the government to pay him $97,500 in legal fees. He followed a similar strategy with the mine workers, winning a court order directing the UMW to pay him $90,000 as his legal fees for representing the reform slate. He won similar court orders directing that his fees be paid by the people and organizations he sued in other cases.

A frequent witness at hearings on Capitol Hill, Rauh helped organize opposition that led to the denials of Senate confirmation for President Nixon's Supreme Court nominees G. Harrold Carswell and Clement F. Haynsworth Jr. and for President Reagan's nomination of Robert H. Bork. He was unsuccessful in his opposition to confirmation of William H. Rehnquist as chief justice and to the confirmation of President Bush's nomination of David H. Souter to the court, arguing that both were insensitive to the rights and needs of minorities.

Earlier, he opposed legislation sought by then-Attorney General Robert F. Kennedy to legalize Federal and State wiretaps, arguing that this was an impermissible invasion of privacy, and he was eloquent in support of Federal legislation mandating redress for Japanese Americans who had been interned during World War II.

He represented playwrights Lillian Hellman, during her 1952 testimony before the House Un-American Activities Committee, and Arthur Miller, in his 1957 trial on charges of contempt of Congress for refusing to identify other writers and artists whom he knew to be communists. Miller was convicted, but the conviction was overturned on appeal.

In national politics, Rauh backed his old friend and ADA colleague Hubert Humphrey for the 1960 Democratic presidential nomination, then cast his lot with John F. Kennedy when Humphrey quit the race. He considered Kennedy's selection of Lyndon B. Johnson as his running mate a "betrayal," but later he came to admire Johnson for his support of far-reaching civil rights legislation.

He was a vocal and staunch opponent of U.S. participation in the Vietnam War, and initially supported Minnesota Sen. Eugene McCarthy for the Democratic presidential nomination in 1968. Rauh's enthusiasm for his old friend Humphrey had cooled by then, primarily because of the vice president's ties to Johnson's war policies. Rauh's backing for the Democratic presidential ticket of 1968 was lukewarm, much to the dismay of many of his friends and colleagues. His participation in electoral politics declined in the 1970's. He did not attend the 1976 Democratic National Convention, and his support of the Jimmy Carter presidency was tepid. But his law practice was vigorous and litigious well into the seventh and eighth decades of his life.

Survivors include his wife of 57 years, Olie W. Rauh of Washington; two sons, Washington lawyers B. Michael Rauh of Alexandria and Carl S. Rauh of Washington; and three grandchildren.

[From the Associated Press, Sept. 4, 1992]

LONGTIME CHAMPION OF CIVIL RIGHTS DIES

(By Jonathan Moore)

Joseph L. Rauh, Jr., a respected champion of civil rights and liberal causes, has died. He was 81.

Rauh died Thursday night at Sibley Hospital after suffering a massive heart attack at his home.

He was remembered by those who knew him as an accomplished lawyer and an unstinting defender of equal rights.

Rauh founded Americans for Democratic Action and served as its president, and he sat on the executive board of the National Association for the Advancement of Colored People. He also served as general counsel of the Leadership Conference of Civil Rights for more than 40 years.

"Joe's imprint was all over the civil rights era," said NAACP Executive Director Benjamin Hooks, who had worked with Rauh for 20 years.

Rauh's involvement in civil rights legislation began in the Eisenhower administration when he helped push for the establishment of the Civil Rights Commission, an independent government agency that was charged with protecting voting rights and equal opportunities.

Hooks said during the Reagan-Bush administration many activists were discouraged at seeing reform blocked or rolled back.

But, Rauh "never lost his zeal for the battle," Hooks said.

Rauh was born in Cincinnati and graduated from Harvard in 1932. After graduating from Harvard Law School in 1935, he served as a law clerk to Supreme Court Justice Benjamin N. Cardozo.

He opened a law office in 1947 after serving in the Pacific in World War II.

He was a regular participant of Democratic conventions beginning in 1948 when he wrote the strong civil rights language that was included in the party's platform. Rauh's civil rights plank provided the foundation for much of the human rights legislation of ensuing decades.

"I'm proud of our laws," Rauh once said. "What our generation has done is bring equality in law. The next generation has to bring equality in fact."

Clark Clifford, a former secretary of defense and an advisor to Democratic presidents and policymakers for more than four decades, said Rauh played a major role in a bitter fight to include the language that led to a number of delegates quitting the convention.

"He stood tall and sturdy at the time because so many in the party wanted to water it down," Clifford said.

"He has a perfect record as a defender of liberal causes," Clifford said, adding, "I consider him to be an extraordinarily able lawyer, one of the best at the bar in Washington."

Clifford is currently facing state and federal charges in the BCCI banking scandal.

Rauh was a staunch foe of the House Un-American Activities Committee in the 1950s, which destroyed the reputations of artists, scholars and public officials in its relentless endeavour to expose communists.

"He took the lead in combatting the activities of that hysterical committee, and I think that's where he possibly earned his reputation as a defender of personal rights of our citizens," Clifford said.

Rauh represented playwrights Lillian Hellman and Arthur Miller who came under congressional scrutiny during the anti-communist scare.

Another of Rauh's causes was the fight for home rule, or statehood, for the District of Columbia.

John Hechinger, who was the first D.C. City Council chairman when the city achieved self-government in 1972, said "one of the major disappointments of his (Rauh's) life was the fact that we didn't get full home rule for the District of Columbia."

[From the Reuter Library Report, Sept. 4, 1992]

CIVIL RIGHTS, LIBERAL FORCE JOSEPH RAUH DIES

Joseph Rauh, a major force behind the U.S. civil rights movement and a founder of the liberal Americans for Democratic Action, died on Thursday night after a heart attack, ADA national director Amy Issacs said on Friday.

Rauh, 81, had an active law practice until he was sidelined at age 78 by a heart attack. He remained an ADA adviser and a force in civil rights and other liberal issues.

In recent years he worked behind the scenes to defeat President Ronald Reagan's nomination of conservative Judge Robert Bork to the Supreme Court.

Born in Cincinnati in 1911, Rauh received his law degree from Harvard in 1935 and clerked for Supreme Court justices Benjamin Cardozo and Felix Frankfurter.

He came to Washington in the midst of the depression to work for Franklin Roosevelt's New Deal programme for recovery.

Rauh founded ADA with Eleanor Roosevelt and Hubert Humphrey after World War Two and served as its president from 1955 to 1957. He was an architect of the Democratic party's 1948 platform plank on civil rights that formed the basis of many of the civil rights laws enacted decades later.

He combatted Senator Joseph McCarthy and represented playwrights Lillian Hellman before the House Un-American Activities Committee and Arthur Miller when he refused to name writers and artists who allegedly supported communism.

[From United Press International, Sept. 4, 1992,]

RAUH, LIBERAL STALWART, DIES

Joseph L. Rauh Jr., who helped lead the fight for liberal causes and civil rights over a half century, has died of a heart attack. He was 81.

Rauh, author of the civil rights plan at the 1948 Democratic National Convention, was stricken at his home Thursday night shortly after returning from a dinner engagement and died at a hospital. Funeral arrangements were pending Friday.

"He was perkey right up to the end," a family spokesman said. Earlier this week, he and his wife observed their 57th wedding anniversary.

Rauh started fighting for liberal causes in the New Deal and continued right up his final years. He could be seen standing in back of the room during the recent nomination hearings of Clarence Thomas to the Supreme Court.

Rauh was a key lobbyist for the historic Civil Rights Act to 1964, the Voting Rights Act of 1965 and the Fair Housing Act of 1968.

He was founder and former president of Americans for Democratic Action and a member of the executive board of the NAACP.

"I'm proud of our laws," Rauh once said. "What our generation has done is bring equality in law. The next generation has to bring equality in fact."

The civil rights plank for the 1948 Democratic National Convention provided the basis for much of the human rights and equality-under-the-law legislation of the following decades.

Rauh was counsel for the Mississippi Freedom Democratic Party at the 1964 Democratic National Convention and was successful in unseating the regular delegation and obtaining an offer to seat part of the Freedom delegation and a promise of desegregated delegations in the future.

At the 1968 Democratic National Convention he helped obtain the seating of the Mississippi and Georgia Loyal Democrats and a rules change for the 1972 democratizing the method of delegate selection.

Rauh was the attorney for labor organizer John T. Watkins, and won Supreme Court reversal of the Watkins conviction for contempt of Congress in a decision that has far-reaching effects on the power of Congressional investigations.

He was one of the first and staunchest opponents of McCarthyism. Among his civil liberties victories is the case of Arthur Miller, whom he successfully defended following the playwright's contempt of Congress charges for refusing to name others involved with him in a previous political association.

He also represented playwright Lillian Hellman before the House Committee on Un-American Activities, which inspired her book, "Scoundrel Time."

In 1946, Rauh was one of a small group of people who conceived the idea of a broadly based anti-Communist liberal organization that later became the Americans for Democratic Action. He served as the ADA national chairman from 1955–1957.

Joseph Rauh was born in Cincinnati, Ohio. He graduated Harvard University magna cum laude in 1932 and continued at Harvard Law School and was graduated LL.B. magna cum laude in 1935. He was law secretary to Justice Benjamin N. Cardozo and Justice Felix Frankfurter from 1935 to 1942.

Rauh was admitted to the District of Columbia bar in 1946 and held private practice in Washington.

He was married to the former Olie Westheimer and had two sons, Michael and Carl.

[From the London Times, Sept. 7, 1992]

JOSEPH RAUH

Joseph Louis Rauh Jr., one of America's leading crusaders for civil rights and liberal causes, died at Sibley Memorial Hospital in Washington on September 3 age 81. He was born in Cincinnati, Ohio, on January 3, 1911.

Joseph Rauh went to Washington, in the depths of the Great Depression, to fight for President Franklin Roosevelt's New Deal. When the New Deal faded into history, and others abandoned the seemingly hopeless task of bringing fairness and a semblance of equality to American society, Joe Rauh never gave up. For nearly six decades he was the champion of the underdog, the defender of the working man and a pain in the neck to fundamentalists, segregationists, witch-hunters, and a large slice of the American establishment.

"Many who never knew him," said The New York Times in an editorial tribute, "are the beneficiaries of that pressure and passion."

The son of a German-born shirt manufacturer, Rauh took a major in economics at Harvard University, graduating with distinction in 1932. But 1932 was not a good year to go looking for a job, so he stayed at Harvard, attended the Law School and again came first in his class. The distinction won him an appointment as law clerk to Justice Benjamin Cardozo, who had succeeded Justice Oliver Wendell Holmes on the United States Supreme Court, but he combined the job with active work for several of Roosevelt's New Deal agencies and the Lend-Lease Administration. During the second world war Rauh served in the US Army, joining the staff of General Douglas MacArthur as an expert on lend-lease. Discharged with the rank of lieutenant colonel in 1945, he was admitted to the Washington Bar and began a career that was to be equally divided between the courts and active backstage politics.

In 1947, with a group of fellow liberals, he founded Americans for Democratic Action an organization conceived as a bulwark against communist domination of liberal politics, but which grew into a ginger group devoted to keeping the Democratic Party true to its principles.

"The only difference between Americans for Democratic Action and the Democrats," Rauh said in 1955, "is that we believe in their platform and they don't." He was to remain active in the association, latterly as vice president, for the rest of his life.

As a white man, and a Jew, Rauh enjoyed the unusual distinction of serving on the executive council of the National Association for the Advancement of Coloured People. For 40 years he was general counsel for the Leadership Conference on Civil Rights, and also represented the Mississippi Freedom Democratic Party, the United Auto Workers Union, the Brotherhood of Sleeping Car Porters, and other labour organisations.

"Joe's imprint was all over the civil rights era," said Benjamin Hooks, executive director of the NAACP. Rauh was a regular participant at Democratic Party national conventions, and it was at his first, in 1948, that he made one of his most important contributions to the liberal cause. He took a leading part in writing the strong civil rights plank that was adopted in the party's platform and provided the foundation for the federal legislation that was to come. It also led to a walk-out by segregationist Democrats from the Deep South, splitting the party wide open.

By the 1950s, when anti-communist paranoia reached its height, Rauh was acknowledged as the leading civil liberties lawyer in the United States, and he became the attorney of choice for those who were being pilloried in the McCarthy witch-hunts of the period. Among his clients were the writer Lillian Hellman, who was subpoenaed by the House Committee on Un-American Activities in 1952, and playwright Arthur Miller.

Miller was indicted on contempt charges in 1956 for refusing to identify former associates with left-wing sentiments. He was convicted, but Rauh later won the case in a federal appeals court.

A powerful figure, 6 ft. 2 ins. tall and addicted to colourful bow ties, Rauh became more than familiar to politicians on Capitol Hill during the Johnson administration. He lobbied loudly and constantly for passage of the Civil Rights Act of 1964, the Voting Rights Act of 1965, and the Fair Housing Act of 1968, but his pride in their adoption was not unqualified. "I'm proud of our laws," he once said. "What our generation has done is to bring equality in law. The next generation has to bring equality in fact."

In recent years Rauh abandoned the practice of law, but kept an active schedule as a public speaker to the end. He also continued to lobby strenuously against the conservative nominations to the Supreme Court of

the Reagan and Bush administrations. He never became rich, having performed much of his work for little or no pay. "Other people may have made more money," he said in 1985. "But no one has had more fun."

Joseph Rauh is survived by Olie, his wife of 57 years, and two sons.

Joe did enjoy life, and he made life much pleasanter and more meaningful for all of us.

Mr. Speaker, I thank my colleagues for joining me in this special order tonight.

Mr. OWENS of Utah. Mr. Speaker, a great man has passed on, Joseph L. Rauh. Mr. Rauh's greatness was made in the courtrooms and on the streets of our Nation. He championed civil rights for all humankind at a time when such beliefs were not acceptable. Mr. Rauh's tenacity and willingness to battle for what he believed in should be a lesson for us all. His life was a monument to the belief in basic human rights and the need for average citizens to fight to preserve those rights.

Mr. Rauh had a very long and successful career as a proponent of civil rights beginning in 1947, when he opened a law firm in the Washington DC, area. It was in that same year that he began his fight against racial segregation and took on the post of chairman of the Democratic Central Committee of Washington.

During the 1950's Mr. Rauh again plunged into the fight for civil and human rights, defending those accused of having Communist ties during the McCarthy era witch hunts. Some of his more famous defendants were the writer Lillian Hellman and playwright Arthur Miller.

In the 1960's, Joseph Rauh was involved in the fight for the passage of the Civil Rights and Voting Rights Acts of 1964 and 1965 respectively. But the 1960's were full of civil strife and Mr. Rauh was not afraid of taking a personal stand on such issues as the war in Vietnam and the Fair Housing Act of 1968.

Joe Rauh challenged intrusive government and fought for the rights of human beings in every facet of American life. He fought for the rights of mine and auto workers when big business held the upperhand, and fought for artists when the unwarranted fear of Government threatened their livelihood and basic freedoms. Above all else, he fought for the rights of humankind and each individual's right to dignity and fairness under the law.

Mr. Rauh was never a rich man in a material sense. Rather, his richness eminated from something that very few men possess: An inbred richness for wanting to fight for the rights of the individual. The qualities of Joseph Rauh will be sorely missed in this country, but we are a better, more decent Nation because of him.

Mr. DELLUMS. Mr. Speaker, I rise to honor the memory of a diligent fighter of the people, Joe Rauh.

He leaves a true historical legacy. The most famous, perhaps, were his committed lobbying in behalf of major civil rights bills from 1957 on, his battle against McCarthyism and his struggle over the conscience and membership of the U.S. Supreme Court.

Joseph L. Rauh, Jr., has been, for decades, one of our Nation's leading champions of civil rights. For almost half a century he dedicated his life to the struggle for civil liberties and human rights. He spent a lifetime trying to make America live up to the ideals professed in the Declaration of Independence and the Bill of Rights.

He was a member of a small group, including Eleanor Roosevelt and Hubert Humphrey, who, in 1947, founded Americans for Democratic Action. He was the organization's chair from 1955 to 1957 and remained active until his death at which time he was its vice chair.

During his legal practice he represented the Mississippi Freedom Democratic Party which was formed as a counterpart to the State's segregationist Democratic Party, the Leadership Conference on Civil Rights, an umbrella organization for which he was general counsel for more than 40 years. He also was a member of the executive board of the NAACP. Also among his clients was the Brotherhood of Sleeping Car Porters, founded by A. Philip Randolph, of whom he said "Mr. Randolph—I never called him anything but Mr. Randolph—was the most dignified man who ever lived."

Joe Rauh was one of the Nation's foremost premier civil liberties lawyers who has left an indelible imprint on the civil rights movement. Without his effort, the historic Civil Rights Act of 1964, Voting Rights Act of 1965 and the Fair Housing Act of 1968 would not have been possible. His pride in their adoption was not unqualified. "I'm proud of our laws," he once said. "What our generation has done is to bring equality in law. The next generation has to bring equality in fact."

After leaving his career which spanned from the New Deal, extended through the civil rights period and the antiwar movement of the Vietnam era, Mr. Rauh became an active public speaker and strenuously lobbied against the Reagan and Bush administration's conservative nominees to the Supreme Court in the spirit of a legacy he helped create.

We owe Joe Rauh a debt of gratitude. He was a true voice for democracy. Those who knew him will miss his larger than life presence and voice of persuasive concern. Many who never knew him are the beneficiaries of his passion for justice. Let us honor him best by committing ourselves, individually and collectively, to the goals of social and economic justice and civil and constitutional rights for which he worked during his lifetime. Joe truly gave his life trying to help others, in witness to Dr. Martin Luther King, Jr.'s pledge "to make this old world a new world." We can do no less.

Mr. TORRES. Mr. Speaker, I would like to thank my good friend and colleague, Representative DON EDWARDS, for permitting me and the other Members of the House the opportunity to pay tribute to the passing of an extraordinary American, Joseph L. Rauh, Jr.

As we are hearing, and will hear tonight, Joe Rauh's rich life touched many people, from diverse walks of life. Indeed, the diversity of Joe's network of friends stands witness to the breadth of his personal and professional reach. There are however, common values which link together Joe's friends and associates into a tight network.

Joe Rauh believed compassionately in ethical affirmative government, civil freedom, economic and political security, and fairness. Joe Rauh believed in the Bill of Rights and to each individual's right to a life of dignity without discrimination. He embellished his deadly serious advocacy of social and political rights with a warm, captivating sense of humor. Joe never forgot the importance of laughter to carry one through the darkness of the never ending struggle for full human rights.

Joe Rauh's friends stand in elegant testimony to the huge expansive nature of his reach. Many of us in the U.S. Congress knew Joe Rauh, and have our selective memories of this encounter. We are here tonight to share these stories. Many who met Joe are not here tonight, and do not have the opportunity to place their tribute to Joe Rauh before the American people. So, I thought, that as my tribute to this rare human being, I would open up a window, and let you look into the impressions of three persons, who in their unique way, have had their lives touched indelibly by Joe Rauh.

Victor Reuther, a surviving member of the legendary United Auto Workers Union's, Reuther brothers triumvirate, said this about Joe Rauh:

By age, Joe was a member of my generation, yet, to me he always loomed as a father figure! In my personal, family, and organizational involvements, there were numerous crises, and Joe was always there with wise counsel, a steady hand and warm compassion. When the hired thugs of Corporate America sought to snuff out my life and that of my brother, Joe bore down on the Justice Department and the indifferent J. Edgar Hoover. Since the inception of the modern U.S. Labor Movement, Joe was on the side of workers, and I mean rank and file workers and union members. From rescuing coal miners from the clutches of a murdering Tony Boyle, to defending the electoral rights of Ed Sadlovsky in the Steel Workers Union, to aiding Teamsters For a Democratic Union clean house, more recently his courageous support for the New Directions reform efforts within the Auto Workers Union * * * Joe's words and deeds were always on the side of internal democracy and justice.

Joe's leadership in Civil Rights, and in strengthening the quality of our Judicial system are legendary. American democracy has been enriched by his life! Generations still unborn will be the beneficiaries of his labors. To those who toil in the mines, mills and workshops of our great country, they knew they had a strong ally in Joe, who understood the meaning of "solidarity."

David Wigdor, assistant director of the manuscript division at the Library of Congress, had these words to share about Joe:

Joseph L. Rauh, Jr. played a central role in the modern liberal tradition. His long career as a public interest attorney demonstrated how the reform philosophies and civil liberties principles of early 20th-century progressive spokesmen such as Louis Brandeis and Benjamin Cardozo could be reshaped to meet the new challenges of his own time. Although he was the subject of many headlines during his long struggle for social justice and civil rights, one of his greatest if unheralded legacies was the gift of his extensive personal papers to the Library of Congress. This rich collection, like the life it mirrors, is a distillation of modern liberal reform, for it helps recapture his creative role in the New Deal, the modern social welfare and civil rights movements, the defense of civil liberties during the Cold War's dark-

est days, and the struggle to make labor unions the vanguard of industrial democracy. Many scholars have begun to study the Rauh papers, and the books and articles that are emerging will help retain the vitality of his vision of a liberal tradition that 'expresses an abiding and compassionate faith in ethical affirmative government and civil freedom and supports the right of the individual to a fair measure of economic security, to the fullest protection of liberties encompassed by the Bill of Rights, and to a life of dignity without discrimination.—Rauh, address, University of Oregon, April 19, 1989.

Mr. Wigdor, is the assistant director of the manuscript division at the Library of Congress, where Joe's papers are stored.

Finally, there are the stories of Joe Rauh's legendary swimming pool gatherings. Philip Dine, the dedicated labor reporter for the St. Louis Post-Dispatch, spent a recent afternoon at Joe's pool and wrote the following.

So this is where Marilyn Monroe relaxed by the pool on some muggy Washington afternoons back in the mid-1950's. More significantly, it's where a goodly number of political, labor, and civil rights leaders have gotten to know one another over the decades * * * Sunday afternoons for 40 years, a handful of people have gathered here in ever-changing constellations at Rauh's invitation * * * Nuggets of conversation float by. Bill Webster, Rauh is saying, was the 'last good director of the CIA.' Senator John Danforth, is embarrassed by the performance of his protege, Supreme Court Justice Clarence Thomas, someone says. Not so, it's countered; Danforth is proud of Thomas. The Rauhs speak of Tom and Barbara Eagleton, friends and frequent travel partners. And Marilyn Monroe? She passed a couple of weeks here while Rauh successfully defended her husband, playwright Arthur Miller, from congressional witch hunts in the McCarthy era.

This country owes a depth of gratitude to Joseph Rauh, Jr. We have been enriched by his life journey, by his willingness to do battle for causes which were many times unpopular, but which represented issues of deep civil, social, and political justice. He lived a standard of ethical behavior and fairness which has inspired and guided new generations.

Thank you, Joe. We will carry on.

Mr. DIXON. Mr. Speaker, I rise to pay special tribute to Joseph Louis Rauh, Jr., who will be remembered as one of America's leading crusaders, extensively dedicated to civil rights issues and liberal causes. Known as a champion of the underdog and the defender of the working man, Mr. Rauh spent the bulk of his life working tirelessly to insure the fairness and semblance of equality to American society. On behalf of this lifetime pursuit, he lobbied fervently and constantly for passage of the Civil Rights Act of 1964, the Voting Rights Act of 1965, and the Fair Housing Act of 1968.

Joseph Rauh was actively involved in organizations which sought to embody the spirit of the Democratic Party's general principles, thus his cofounding of Americans for Democratic Action. Mr. Rauh was also a distinguished member of the executive council of the National Association for the Advancement of Colored People. For 40 years he was general counsel for the Leadership Conference on Civil Rights, and also represented such organizations as the Mississippi Freedom Democratic Party, the United Auto Workers Union, the Brotherhood of Sleeping Car Porters, and other labor organizations.

Through Joseph Louis Rauh, Jr.'s professional career, he sought to enhance and secure equality in the personal lives of all Americans. As he once said after final passage of the 1964 civil rights legislation, "I'm proud of our laws. What our generation has done is to bring equality in law. The next generation has to bring equality into fact." Through his truly altruistic actions and zealous commitment, Mr. Rauh enriched the lives of many. Therefore, I ask my colleagues in the U.S. House of Representatives to join me in extending sincere condolences to his wife Olie of 57 years, sons B. Michael Rauh and Carl S. Rauh, and three grandchildren.

Mr. GILMAN. Mr. Speaker, it is with considerable regret that I rise to join my colleagues in mourning the passing of Joseph L. Rauh, Jr., on September 5, 1992. Mr. Rauh dedicated many years of his life to the noble cause of civil rights and civil liberties, with which our Nation struggled for decades. He played an instrumental role in the passage of measures like the Civil Rights Act of 1964, the Voting Rights Act, and the Fair Housing Act.

Mr. Rauh's quest for fostering human rights and liberties began in the 1930's, following his graduation from Harvard Law School. He first served as a clerk to Supreme Court Justices Benjamin Cardozo and Felix Frankfurter. After World War II, where he was an Army officer in the Pacific, Joseph Rauh went on to cofound Americans for Democratic Action with the help of Eleanor Roosevelt, Walter Reuther, and Reinhold Neibuhr.

Later, Mr. Rauh was elected chairman of the D.C. Democratic Central Committee where he served for 20 years and wrote the minority civil rights plank for the 1948 Democratic National Convention which played a central role in the subsequent civil rights revolution.

In addition to his many accomplishments regarding civil rights and liberties, Mr. Rauh played a central role in implementing the policy of home rule for the District of Columbia.

I had the occasion to come to know and to work with Joe Rauh in the unsuccessful campaign to save the Antioch Law School. His devotion to this cause was inspiring to all of us.

Mr. Speaker, I encourage our colleagues to join in extending my deepest condolences to the family and loved ones of Joseph L. Rauh, Jr. He was a great contributor to the welfare of the District of Columbia and of his Nation. His dedication to these noble national and local causes will not be forgotten. His life was an inspiration to all Americans.

Mr. YATES. Mr. Speaker, I was shocked and deeply saddened to learn that Joe Rauh had died. He was a very dear friend of mine and I will miss him greatly.

I have known Joe since my earliest days in Washington and I always liked him. He was a most delightful man. Joe was a rare combination of intelligence, wit, humanity, candor, dedication, and total decency. There was no one like him in my experience.

Joe's life is an example for all of us. He fought for civil rights and stood for social and economic justice when these issues were very unpopular in this country and he never wavered. I was proud to be with him in many of these battles and I will never forget his passion and fundamental sense of justice.

Joe Rauh never got rich in the material sense of this world, but the United States is richer and a much more decent, better country for what he accomplished and what he has left us. Washington and the Nation have lost a giant and he will not be replaced. Addie joins me in extending our most sincere and personal sympathy to Olie and the Rauh family.

Mr. PANETTA. Mr. Speaker, I rise today in tribute to the distinguished Joseph L. Rauh, Jr. As Director of the Office of Civil Rights in 1969, I had the distinct privilege of working with this extraordinary man. Joseph L. Rauh, Jr.'s life will continue to inspire millions.

Joe Rauh was a man of pure principle and conviction. He had the good fortune of being blessed with unrivaled intelligence and the good heart to dedicate himself to making this world a better place. His accomplishments in the civil rights movement during his 50-year career are truly remarkable. He was a relentless defender of civil rights and fought for justice until the very end. He knew well how important our laws are, and persevered to win the passage of just laws. He also knew that laws were not enough, that living a just life is required. He once said that "What our generation has done is bring equality in law. The next generation has to bring equality in fact." Civil rights are violated every day and prejudice remains rampant. Still, because of Joe Rauh, the incidence of civil rights violations is lower today, and the capacity for redress is greater. In the vision of this great man, it is my fervent hope that we can "bring equality in fact," and that civil rights laws will be rendered obsolete.

Mr. HORTON. Mr. Speaker, I join with my colleagues in paying tribute to Joseph L. Rauh, Jr., who died earlier this month. A leader in the struggle for equality and justice for all Americans, Joseph Rauh's legacy will be one of advocacy on behalf of the little guy, the poor, and those left behind or ignored by society.

I had the privilege of working with Mr. Rauh on a number of issues since I came to Congress in 1963. I worked very closely with Mr. Rauh on home rule for the District when I served on the District of Columbia Committee. It was during this time that I was able to witness first-hand his commitment to justice as we worked together to provide D.C. residents with the same voice in local matters that Americans in other cities and towns enjoy. And though we did not achieve everything that we had set to do, we did establish a workable system of local government for the District of Columbia and made it more accountable and responsive to local residents.

Beyond the District of Columbia, Mr. Rauh played a major role in shaping our Nation's civil rights laws, he was a vocal leader of the labor movement, and he lead the fight against the witch hunts of the 1950's. In all of these issues, Joseph Rauh fought for those who could not fight for themselves. More importantly, he usually won.

Most people in this world can only hope to accomplish a fraction of what Joseph Rauh achieved during his time on Earth. Dr. Martin Luther King, Jr., fittingly once said, "If a man has done nothing for a cause worth dying for, then he is not fit to live." Mr. Speaker, there is no doubt in my mind that Joseph L. Rauh, Jr., will live on forever through his legacy.

Mr. FORD of Michigan. Mr. Speaker, Joe Rauh is best known as the champion of civil rights and civil liberties, but he also championed the rights of the working men and women of America.

He served as general counsel for a number of unions: The United Auto Workers, the United Shoe Workers, the Brotherhood of Sleeping Car Porters, and the Agricultural Workers Union. In addition, he was retained by a number of other unions to litigate the novel, the difficult, the significant labor issues of the day.

His victories were legion.

He solidified the rights of black firemen to fair representation from the white-only union certified by the Railway Labor Board as their bargaining agent. The union had tried to eliminate black firemen from their jobs when diesel supplanted the back-breaking work of shoveling coal. See *Steel* v. *Louisville & Nashville Ry. Co.,* 323 U.S. 192 (1944). When the courts rejected Rauh's claim that fair representation by the union was impossible without union membership—a voice and a vote inside the unon—he saw to it that the subsequent 1964 Civil Rights Act prohibited union discrimination based on race or color.

Moving beyond this, his was the case that initially persuaded the National Labor Relations Board to outlaw discrimination at the union hiring halls because of personal animosity toward the aggrieved worker. Miranda Fuel, 140 NLRB 181 (1962). Here, as always, Rauh was protecting the rights of the little guy.

Rauh recognized the importance of strike action, and fought like a tiger when the State of Virginia seized a privately owned ferry boat company and ordered the striking employees back to work—all on the theory that they were now public employees, and that the strike was now against the Commonwealth of Virginia. Local 333B, International Longshoremen's Union versus Battle.

He understood the travail of the picket line, when scabs go through to take one's job. In the famous Kohler case, the Labor Board agreed with the United Auto Workers that the strike was caused by management's refusal to recognize and bargain with the union. But the Labor Board refused to reinstate the workers who had engaged in back-to-belly mass picketing when the strike first began. They had voted with their feet to convince the employer of their solidarity with the Union. Rauh persuaded the court that this kind of misconduct does not automatically preclude reinstatement, and that the Labor Board must take into account the employer's blatant unfair labor practices that provoked the mass picketing. Local 833 UAW versus NLRB.

On another important labor front, Rauh persuaded the Supreme Court that good faith bargaining requires the parties to be open and above board, to share pertinent information: In particular, that the employer must explain the whereabouts of missing machinery in an arbitration proceeding when the UAW believed the company had violated the agreement not to subcontract unit work. *NLRB* v. *Acme Industrial Co.,* 385 U.S. 432 (1967). And, if the employer's information does not ring true, Rauh won the right for the union to enter the work stations and make its own time studies. Fafnir Bearing Co.

Rauh believed in and understood collective bargaining. He knew that the complete satisfaction of all union members with a negotiated contract is hardly to be expected. Some may want a larger pay check, others may prefer putting part of the pie into fringe benefits like health care or pensions. So he persuaded the Supreme Court that a union, when making bargaining demands, is free to exercise its best discretion within reasonable bounds of relevancy, particularly that it was okay for the union to bargain for seniority credit based on military service performed prior to entering the company's employ. *Ford Motor Co.* v. *Huffman,* 345 U.S. 330 (1953).

Many labor cases are won or lost at the Labor Board level, and Rauh won the right of unions to intervene and participate in the agency proceedings even when they are not named as parties to the dispute. For good measure, he won the corresponding right to participate in any appeal taken from the Labor Board to the courts. *Scofield* v. *NLRB,* 394 U.S. 423 (1969).

Rauh saw the need for unions to engage in politics—so they would not lose at the legislature what they had won at the bargaining table—and in 1957 he won a landmark victory for the United Auto Workers when the Supreme Court held that the Union publication—via television—of candidates' voting records did not violate the Corrupt Practices Act of 1954. Rauh had argued that as a matter of free speech a union could support a political agenda with union dues; not with a money contribution to a candidate, but with a money expenditure to inform the public of the issues involved. But at the same time he insisted that his union clients create a rebate system so the members—Republicans for example—would not be forced to support Democratic candidates with their dues money. All workers who benefit from the union must pay their fair share of the collective bargaining costs, but political objectors must get the return of that portion of their union dues that went into political action.

Rauh often told law classes that there is nothing more beautiful than a beautiful union, and he fought to keep them so. His most notable endeavor in this regard was his representation of Jock Yablonski in his run for the presidency of the United Mine Workers against incumbent Tony Boyle. When Yablonski, his wife and daughter were all murdered in their beds, Rauh traced the killings back to Boyle and saw him jailed for murder, all the while paving the way for the election of the new reform candidate, Arnold Miller.

Rauh continued to represent insurgent candidates in union elections, stumping for them in the hustings, litigating their cases in the Supreme Court. He won some cases: *Dunlop* v. *Bachowski,* 421 U.S. 560 (1975) (Secretary of Labor must give written reasons to the court when he declines to pursue allegations of union election fraud); *Trbovich* v. *United Mine Workers,* 404 U.S. 528 (1972) (when Secretary initiates an action, affected union members may intervene); and he lost a few: *United Steelworkers of America* v. *Sadlowski,* 457 U.S. 102 (unions may prohibit insurgents from accepting financial support from nonmembers during international union elections).

Joe Rauh was well versed in the intricacies of Supreme Court litigation, but he also was the master in the rough and tumble of ordinary lawyering. The National Labor Relations Act authorizes an appeal from the Labor Board to any number of Federal courts of appeals; to the one wherein the unfair labor practices took place, to any one wherein the aggrieved party does business, or to the Court of Appeals in the District of Columbia. This leads to forum shopping; and a race to the circuit; because the court which gets the appeal first generally keeps it.

In the Kohler case, the company wanted desperately to appeal the issues to the Court of Appeals in Chicago; and the United Auto Workers wanted with equal desperation to have the appeal heard in the District of Columbia.

The race to the circuit began at 9 a.m. when the Labor Board, as announced in advance, handed down its opinion. The company attorney grabbed a copy, raced to a waiting cab, and from his office used the open line to an associate in the Chicago courthouse, telling him to file an appeal. This was done at approximately 8:30, central standard time—the court having opened early at the request of Kohler. The appeal document was bland, not specifying the alleged error.

Joe Rauh, in contrast, had prepared six different appeal papers, covering all contingencies. When the Labor Board opened, UAW officials in Washington took control of all the public phone booths, and Rauh stationed an associate at the clerk's office in the Washington, DC, U.S. Court of Appeals. When the Labor Board decision came down, Rauh read it hurriedly, rushed to the nearest pay phone—where a UAW official was talking to the Rauh associate at the clerk's office, and shouted "file appeal number four." This was done, at approximately 9:15, eastern standard time. Since 9:15 eastern standard time is earlier than 8:30 central standard time, Rauh had won the race to the circuits, and ultimately the appeal.

Elbert Hubbard, the turn of the century sage of East Aurora, NY, advised that the only way to avoid controversy is to say nothing, do nothing, be nothing. This was not Joe Rauh. He believed passionately in the causes he supported and fought for them without compromise with all he had. He was the center of controversy, and made enemies.

At a recent birthday dinner he said that in his prime his friends thought he was lovable, while his enemies thought he was a son of a bitch. Now, continued Rauh, since he had grown old, his friends still thought of him as lovable, his enemies thought of him as a lovable son of a bitch.

I am among the many who now think, and always have thought of Joe Rauh as lovable, as one who always appealed to the best of our nature and spirit.

Mr. HAYES of Illinois. Mr. Speaker, I would like to take this opportunity to pay tribute to a great American, one of uncompromisable talent, integrity, and conscience—Mr. Joseph Rauh. I'd known Joe Rauh for more than 30 years and worked closely with him throughout the labor and civil rights movements. While one would expect with all his credentials Mr. Rauh would have become a super lawyer, counting among his clients the captains of industry, I was most impressed by his ability to be a part of the legal community without be-

coming consumed by the status quo. Early in his career, Joseph Rauh decided that unlike many of his colleagues, he could not separate his personal beliefs from his professional responsibilities. He felt that if you have strong personal beliefs which conflict with your business interests it becomes increasingly difficult to ignore your professional life and behave as though the two are unrelated. Rauh's law practice was an extension of his life, therefore he did not have to keep separate the professional and personal aspects of his life. Instead, the personal and professional fed and supported each other and as a result, he became the best at what he did.

I most admired Rauh for his strong convictions on each and every case he took on. Joe only took on those cases he believed in and because of that choice, was never tied unwillingly to a client or interest he did not feel strongly about. He was instrumental in drafting the 1948 civil rights platform at the Democratic National Convention, was one of the main lobbyists for the Civil Rights Act of 1964, as well as the Voting Rights Act and the Fair Housing Act. His death is a reminder to all of us what one man with exemplary morals and strong convictions can accomplish. Few men have contributed as much to improve race relations in this Nation as has Joe, we all owe him our utmost respect and admiration.

Joe Rauh was the kind of man who always had time to help his friends. He was a warm man who defended those who did not have the means to defend themselves. He was a voice for the voiceless, a man of undeniable moral fiber, one whose convictions far outweighed his material desires. I am deeply saddened by his passing, in an era when kind, gentle individuals—advocates for the defenseless are scarce. His death marks the end of an era in which America had the courage and desire to look at itself critically and make the changes necessary to live up to the mandate set forth by the Founding Fathers of our Nation, freedom and justice for all its citizens, and equal opportunity under the law. I will miss him deeply as will the entire Nation.

Mr. PAYNE of New Jersey. Mr. Speaker, I rise today to share in the mourning with my colleagues for the loss of one of this country's great civil rights leaders and activists, Joseph L. Rauh.

Mr. Rauh had a profound impact on me back in the 1960's, when I watched this extraordinary lawyer stand up time and again to defend the defenseless and speak out for the underprivileged. Mr. Rauh never lost his enthusiasm for his optimistic and often idealistic views on how to make his country a better place for all to live.

His accomplishments are too numerous to recount. From being the founder of Americans for Democratic Action, to executive board member for the NAACP, his loyalty to human rights and equity-under-law legislation was unwavering.

Joseph Rauh's legal life and political life were often entwined, but government wasn't threatening to him. Throughout the years, he challenged policies and laws he deemed unconstitutional or detrimental to minorities and the poor. In 1972 as counsel for the NAACP Legal Defense Fund, Rauh brought on a lawsuit instrumental in dismantling racially segregated school systems in 17 states. As general counsel for the Leadership Conference on Civil Rights, he was pivotal in drafting virtually all of the major civil rights legislation of the 1950's and 1960's.

Mr. Speaker, I have always looked up to Joseph Rauh as a role model, as I'm sure many of my colleagues have as well. His absence will be felt for years to come, and his memory will live forever.

GENERAL LEAVE

Mr. EDWARDS of California. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on this tribute to Joe Rauh.

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

There was no objection.

THE AFTERMATH OF HURRICANE INIKI

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Hawaii [Mrs. MINK] is recognized for 60 minutes.

Mrs. MINK. Mr. Speaker, I take the time this evening to address the House on a matter of very grave concern to the people of my district. I suspect that nearly everyone on Capitol Hill is aware of the tremendous hurricane storm Iniki that hit Hawaii on Friday and caused such tremendous damage, and loss of property, and three reported deaths and 300-plus injuries on the Island of Kauai. Several millions of dollars of damage was also done on Oahu and on the other neighbor islands, all of them in my district.

I want to say, first of all, that so many people have expressed their concern about the well-being and welfare of the people of my district, and I thank them deeply for expressing their concerns in the way that they have over the last day or so.

Immediately after being informed of the onslaught of the hurricane, Mr. Speaker, Senator DAN INOUYE made arrangements for the entire Hawaii delegation to fly back to Hawaii, which we did early Saturday morning, arriving about 1:30 in the afternoon, and shortly thereafter we were flown by military helicopters to the Island of Kauai, and we were able then to have at least a preliminary view of the damage that the people there have suffered. All during the 13 hours that it took us to return home, Mr. Speaker, I kept thinking about what it might look like and what the hazards might be for the people of my district. But I must say that I was not prepared to witness what we did on Saturday afternoon.

Mr. Speaker, the destruction was almost total. There were very, very few homes, or businesses, or buildings that I could see that had been spared. The destruction was virtually complete. The authorities advised us that the hurricane was in a category higher than the hurricane that hit Florida. It was in category 5, and the maximum speed of the winds that hit the Island of Kauai was in the vicinity of 160 miles per hour. So, as we flew over the island, Mr. Speaker, it was evident that the damage was not isolated to one corridor. It was the entire island, and right around the airport we could see damage. The airports were closed. There was no water on the island at all. The electricity was down. The companies advised that 95 percent of all their electric poles were knocked down by the hurricane and that it will take 2 or 3 months before electrical power is fully restored to the island.

The crisis was enormous; the people were very calm, however. The actions of the Federal Government were on time, and appropriate and vigorous.

□ 1900

I must take this opportunity to commend FEMA, the military, the civil defense people, the mayor of Kauai, Joann Yukimura, and all of her staff, for the enormous efforts that they put together on such short notice.

My office here in Washington was informed of the coming of the hurricane about 12 hours before it hit. I thank FEMA for that early warning. It gave us an opportunity to check numerous places in Hawaii to make sure that they were alerted, and indeed they were. They were probably notified several hours before we were. All of the people cooperated magnificently.

Having said that, the hurricane, of course, made it impossible for normal life to be conducted on the island. So the thousands of tourists who were stranded on the island have become a very great concern. The airports were only opened today on a limited basis, so some of the tourists are being able to be flown out for connecting flights. I know that a lot of them were very angry and disturbed.

All I can say is that we did our best to try to accommodate their needs and concerns, and apologize on behalf of the people of Hawaii if they were discomforted and inconvenienced in any way.

I feel that the authorities did the best that they could under those trying circumstances. We hope that they will not go away disaffected by the grace and beauty of the Island of Kauai because of circumstances beyond our control.

We are being kept advised almost by the hour of all the efforts that are being made. We are told that the post office is in operation. So if there are families across the country who have people there, feel free to write a letter, because it will be delivered.

There are now emergency telephones that have been posted in significant population areas. Unfortunately, no in-

coming calls can be received as yet, but outgoing calls are being made. My office is being constantly requested by people all over the country to try to make contact. In reaching these individuals it is comforting to know that many of these families have been reunited because the people on the island have stood the lines and have made their outgoing calls. So in a day or so surely the families ought to be connected with one another with the services that have been put into effect.

The shipping lines are open. The boat service and barge service is available, and that is how the emergency supplies are coming in.

The State of Hawaii and people throughout the country have been most generous, for which I express the gratitude of the victims on Kauai, because food is coming in in sufficient quantities to provide for the people who are still in the evacuation areas.

To give you a picture of the island, there are about 51,000 persons living on the island. If you add the number of visitors that were undoubtedly on the island we are talking about a population that was there of about 60,000 individuals. It is an island of about 550 square miles.

We are also talking about a neighboring island called Niihau, which has about 230 people on it. It is a privately owned island. The Governor assured me in his flyover of Niihau that the people there and most of the buildings were saved.

The potential number of homes that are on the Island of Kauai is roughly about 16,000. We are told by those who have made assessments that about 90 percent of the homes were damaged or destroyed during the storm. So we have a massive effort to rebuild the island, the homes, businesses, and services that the people require.

The economic hardships for the island are beyond description. I suppose that in the long run that is the greatest harm that the storm has caused. We have no idea how long economic recovery will take.

You can rebuild a house, but can you rebuild the agriculture economy, for instance, which is the base of that economy of that island?

The sugar fields were simply destroyed. It was as though a clipper went right across the fields, thousands and thousands of acres, and just cut off the tops of all the sugar cane.

The banana trees were just crumpled over as though someone just came and crushed them. The macadamia nuts and the guava trees, virtually all of the agricultural industry of the Island of Kauai has been destroyed.

Together with the destruction of the hotels and the resort communities, the economy of Kauai has been devastated. The estimates of what it is going to take to help at least bring the material physical aspects back to where they were before the storm, the estimates now exceed $1 billion. I am advised that the Senate either is debating or has concluded the debate on the supplemental appropriations this evening and is adding $1.2 billion for the State of Hawaii, specifically and principally for the damage on the Island of Kauai. Whether that is sufficient we will not know, but that is at least the preliminary estimates, and the Senate appears to be agreeing with that amount.

I hope that the House will be able to take up the bill in all due speed and bring the necessary relief to the people of this devastated island. I know that FEMA teams are there and they are about ready to open the disaster centers, but this supplemental appropriation needs to pass in order to provide the funding necessary.

We need the tremendous support and cooperation from all the various agencies. I have not considered myself a disaster assistance expert, but I am beginning to understand the enormity of the problem, because all the services are so disparate and the difficulty of starting it even requires the cooperation of the private sector, the insurance companies. If a property is insured, the claim has to go through that process rather than the Federal Government. It is only in uninsured circumstances that the Federal Government enters.

So our plea is out to the private sector to hurry on in and establish cooperative centers where people can take in their claims and have them reviewed and assessed and approved to determine the extent to which the Federal Government can offer assistance.

We need the Small Business Administration. To the credit of the Administrator, the Honorable Pat Saiki, she was out there the same day we arrived surveying the necessity of her administration getting in there. The head of the civil defense national office was also there.

The agricultural areas are beyond description right now. I am not sure how we are going to get these agricultural interests to come back onstream without totally going down. Sugar is already having a difficult time, and whether there can be sufficient timely help to restore these crops and to start all over again without forcing them into bankruptcy, which would be a terrible tragedy for the island, is something that requires an enormous amount of our effort.

So I again say I am heartened by the words of my colleagues of this House. I ask for their swift approval of the supplemental appropriation, because that more than anything else will give the signal to the people out there that help is coming and that the words that have been spoken to them about help is real and meaningful.

The final thing I would like to say is that we have been messaged that the Presidential Executive order was signed on Friday, but it neglected to provide assurances of 100 percent funding. So tonight I call upon the White House and upon the President to assure the people of Hawaii the same equitable consideration that was given to the other communities.

□ 1910

Kauai is a devastated place. It has really no way to rehabilitate itself, to pay its 25 percent share as provided by the law.

I would hope that the President's ears and his heart are listening tonight and that he will accord the people of my constituency that same consideration.

PRIORITY REFORMS FOR A NEW HOUSE

The SPEAKER pro tempore (Mr. ROEMER). Under a previous order of the House, the gentleman from New York [Mr. SOLOMON] is recognized for 15 minutes.

Mr. SOLOMON. Mr. Speaker, today I am introducing the priority reforms for a new House resolution—a series of 14 amendments to House rules designed to make the legislative process in this institution more orderly, deliberative and accountable.

Mr. Speaker, as many of my colleagues are aware, when I was a member of the bipartisan leadership task force on administrative reform earlier this year, I attempted to forge a linkage between House administrative and procedural reform. The majority leadership was initially open to this overture. The Speaker indicated a willingness to have the task force develop reforms that might be proposed to our respective caucuses for inclusion in the House rules resolution recommended on opening day of the 103d Congress.

Unfortunately, that effort was abandoned when bipartisan negotiations on administrative reform broke down. I renewed my efforts when we revised the resolution creating a Joint Committee on the Organization of Congress. The Rules Committee accepted my amendment to authorize the House membership of that joint committee to report House reform proposals to our respective party caucuses by November 6 of this year.

Unfortunately, that provision was deleted by the other body in the final version of the resolution creating the joint committee. However, as I established in a floor colloquy with Representatives HAMILTON and GRADISON on August 6, when the House concurred in the Senate version of House Concurrent Resolution 192, nothing in the resolution prevents the House membership of the joint committee from making bipartisan recommendations for House reforms that could be adopted on January 4 of next year.

Therefore, my main purpose in introducing this resolution today is to initiate these bipartisan discussions and negotiations with a view to putting at least some of them in place when the new Congress convenes.

I am convinced that the mood both of returning Members and the expected large class of freshman Members will be very strongly in

favor of making some immediate changes in the way we do things around here. I do not think this will do any violence to the work of the joint committee in succeeding months. In fact, it should enable the joint committee to focus on larger issues which affect both bodies and our relations with the executive.

The reforms I am proposing, on the other hand, affect only the internal operations of the House and its committee. But I do not want to mislead anyone into thinking that by only addressing internal House problems they are not significant changes.

To the contrary, my proposed changes are far reaching in their potential impact on the House as we know it because they are based on the premise that the House can and should operate in a more conscientious, coherent, deliberative, and orderly way.

I appreciate the argument that our system of government was deliberately designed by the Framers to be inefficient and contentious. But that is no excuse for all the myriad ways we have found to make it even more inefficient and contentious. There are ways we can address legislative gridlock without having to amend the Constitution. That is what my priority reforms for a new House are all about.

The main complaints voiced by Members about this institution center on legislative scheduling—both at the committee level and on the floor. Members have too many committee and subcommittee assignments to begin with. All the work of these panels is crammed into 3-day work weeks at best during the early part of a session when most work is supposed to be done by committees.

Because committees find it difficult to garner even one-third quorums to do work during these narrow windows, given Members' conflicting responsibilities, more and more work is pushed over into the second half of a session when committees should have already reported. Further complicating timely reporting of authorization bills are multiple referrals whereby some bills must be reported by several committees before they can be considered.

Ironically, despite the requirement that authorizations should be enacted before we even consider appropriations bills, nowadays appropriations bills tend to be the first major bills considered in a session. The authorization bills are somehow sandwiched in between or are put off until after we appropriate. In short, we've turned the whole authorization-appropriations process on its head.

As a result, more and more authorizing is done in appropriations bills and important spending decisions are made without prior policy guidance from the authorizing committees. And then the authorizing committees complain that they are ignored by the appropriators. Is it any wonder?

Mr. Speaker, my package of House reforms tries to bring some sanity back into the process by requiring the Speaker to announce a schedule for the consideration of major legislation at the beginning of each year, and scheduling 5-day work weeks separated by periodic district work periods; requiring committees to be elected and organized within the first 2 weeks of a Congress; requiring committee party ratios to reflect that of the House; reducing subcommittees, Member assignments and committee staff; abolishing select committees; abolishing proxy voting and requiring majority quorums for doing business; abolishing joint bill referrals; requiring committees to adopt oversight agendas by March 1 of the first session; and requiring committees to report their authorization bills no later than May 15.

In short, Mr. Speaker, we can do a lot better job of conducting our business if we just get down to business from the outset of each Congress and proceed according to a well-established and enforced timetable for its completion. To do this we must be willing to defer to leadership scheduling decisions and be willing to better focus the efforts of Members and committees on more limited assignments and responsibilities.

It does us little good to flail away haphazardly and ineffectively at the executive branch bureaucracy when we remain entangled in our own legislative branch bureaucracy of overlapping jurisdictions, excessive subcommittees and staff, and an overly duplicative, inefficient and topsy-turvy budgetary-authorization-appropriations process.

While some of the larger problems of jurisdictions and budgetary reforms must be addressed by the Joint Committee on the Organization of Congress, the internal House reforms I have proposed will go a long way toward putting us back on the right track.

I urge my colleagues, especially the leadership on both sides and our caucuses, to give serious consideration now to putting these internal reforms in place before we recreate our own monster bureaucracy at the beginning of the new Congress.

At this point in the RECORD, Mr. Speaker, I include a summary of my priority reforms for a new House. I hope this can be addressed in a bipartisan manner this fall so that we can hit the ground running rather than stumbling come next January. The summary follows:

H. RES. 565, SUMMARY OF PRIORITY REFORMS FOR A NEW HOUSE RESOLUTION

House Scheduling Reform—The Speaker would be required to announce the legislative schedule for the House at the beginning of each session, including target dates for floor consideration of major legislation; those weeks during which the House will be in session, with five-day work weeks would be assumed unless otherwise announced; the dates of district work periods and holidays; and the target date for adjournment.

Early Organization of Committees—Committees must be elected no later than seven calendar days after the commencement of a new Congress, begin their organizational meetings not later than four days after they are elected, and conclude the meetings not later than seven calendar days after their election.

Equitable Party Ratios on Committees—The membership of all House committees and subcommittees (except the Committee on Standards of Official Conduct and the House Administration Subcommittee on Administrative Oversight) and conference committees must reflect the party into ratio of the House.

Limit on Subcommittees—No committees (except Appropriations) can have more than six subcommittees.

Limit on Subcommittee Assignments—No Member may have more than four subcommittee assignments.

Oversight Reform—Committees must develop and adopt oversight plans for a Congress by March 1st of the first session, and submit them to the Committee on House Administration. Not later than March 15th, after consultation with a bipartisan leadership group, the Committee on House Administration shall publish the plans together with any comments or recommendations by the committee or leadership group. Committees would be required to give an accounting of their oversight plans and accomplishments in their final activity report at the end of each Congress.

Multiple Referral Reform—The joint referral of bills to two or more committees would be abolished; a principal committee would be designated by the Speaker when a bill is introduced, sequential referrals would be retained subject to appropriate time limits set by the Speaker, either upon introduction or when a bill is reported by the principal committee.

Proxy Voting Ban—Proxy voting would be prohibited in all House committees and subcommittees.

Open Meetings—Committee meetings could only be closed by the vote of a committee on the determination that national security, personal privacy or committee personnel matters are involved.

Majority Quorums—A majority of the members of any committee or subcommittee must be present for the conduct of any business, including bill markup.

Committee Staffing Reform—Before any committee funding resolution can be considered by the House, the House must first adopt a resolution from the House Administration Committee establishing an overall ceiling on the number of committee staff for the House. Expense resolutions for committees must be within the ceiling of authorized committee staff. Committee staff would be cut by 10% in each of the next three years (1993-95). The minority would be entitled to one-third of the investigative staff funds on request.

Motion to Recommit With Instructions—The Rules Committee would be prohibited from denying the minority its right to offer amendatory instructions in a motion to recommit a bill.

Abolition of Select Committees—All current select committees (except Intelligence) would be abolished at the end of the 102nd Congress and could not be renewed in the first session of the 103rd Congress except by a two-thirds vote.

Authorization Reporting Deadline—All authorization bills must be reported no later than May 15th preceding the beginning of the fiscal year (as required in the original 1974 Budget Act).

Effective Date—The provisions of the resolution would take effect immediately prior to noon on January 3, 1993.

CONFERENCE REPORT ON H.R. 5373

Mr. BEVILL submitted the following conference report and statement on the bill (H.R. 5373) making appropriations for energy and water development for the fiscal year ending September 30, 1993, and for other purposes:

CONFERENCE REPORT (H. REPT. 102-866)

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 5373) "making appropriations for energy and water development for the fiscal year ending September 30, 1993, and for other purposes," having met, after full and free conference, have agreed to recommend and do rec-

ommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 5, 12, 24, 26, 32, 38, 49, 52, 53, 54, 56, and 59.

That the House recede from its disagreement to the amendments of the Senate numbered 13, 14, 20, 25, 30, 33, 41, 42, 50, 51, and 55, and agree to the same.

Amendment numbered 1:

That the House recede from its disagreement to the amendment of the Senate numbered 1, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert *$175,780,000*; and the Senate agree to the same.

Amendment numbered 15:

That the House recede from its disagreement to the amendment of the Senate numbered 15, and agree to the same with an amendment, as follows

Restore the matter stricken amended as follows:

In lieu of the sum named in said amendment insert *$1,000,000*; and the Senate agree to the same.

Amendment numbered 16:

That the House recede from its disagreement to the amendment of the Senate numbered 16, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert *$1,541,668,000*; and the Senate agree to the same.

Amendment numbered 23:

That the House recede from its disagreement to the amendment of the Senate numbered 23, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert *$12,540,000*; and the Senate agree to the same.

Amendment numbered 28:

That the House recede from its disagreement to the amendment of the Senate numbered 28, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert *$274,760,000*; and the Senate agree to the same.

Amendment numbered 29:

That the House recede from its disagreement to the amendment of the Senate numbered 29, and agree to the same with an amendment, as follows:

Restore the matter stricken amended to read as follows: *:Provided further, That of the funds appropriated herein, $3,250,000 shall be available for environmental studies associated with the renewal of Central Valley Project, California, water contracts and environmental compliance*; and the Senate agree to the same.

Amendment numbered 40:

That the House recede from its disagreement to the amendment of the Senate numbered 40, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert *$1,417,784,000*; and the Senate agree to the same.

The committee of conference report in disagreement amendments numbered 2, 3, 4, 6, 7, 8, 9, 10, 11, 17, 18, 19, 21, 22, 27, 31, 34, 35, 36, 37, 39, 43, 44, 45, 46, 47, 48, 57, and 58.

TOM BEVILL,
VIC FAZIO,
LINDSAY THOMAS,
JIM CHAPMAN,
DAVID E. SKAGGS
(except No. 37),
BERNARD J. DWYER,
JAMIE L. WHITTEN,
JOHN T. MYERS,
CARL D. PURSELL,
DEAN A. GALLO,
JOSEPH M. MCDADE,
Managers on the Part of the House.

J. BENNETT JOHNSTON,
ROBERT C. BYRD,
ERNEST F. HOLLINGS,
JIM SASSER,
DENNIS DECONCINI,
HARRY REID,
MARK O. HATFIELD,
JAKE GARN,
THAD COCHRAN,
PETE V. DOMENICI,
ARLEN SPECTER,
DON NICKLES,
Managers on the Part of the Senate.

JOINT EXPLANATORY STATEMENT OF THE COMMITTEE OF CONFERENCE

The managers on the part of the House and the Senate at the conference on the disagreeing votes of the two houses on the amendments of the Senate to the bill (H.R. 5373) making appropriations for energy and water development for the fiscal year ending September 30, 1993, and for other purposes, submit the following joint statement to the House and the Senate in explanation of the effects of the action agreed upon by the managers and recommended in the accompanying conference report.

Report language included by the House which is not changed by the report of the Senate, and Senate report language which is not changed by the conference is approved by the committee of conference. The statement of the managers, while repeating some report language for emphasis, does not intend to negate the language referred to above unless expressly provided herein.

TITLE I

DEPARTMENT OF DEFENSE—CIVIL

The summary tables at the end of this title set forth the conference agreement with respect to the individual appropriations, programs and activities of the Corps of Engineers. Additional items of conference agreement are discussed below.

DEPARTMENT OF THE ARMY

CORPS OF ENGINEERS—CIVIL

GENERAL INVESTIGATIONS

Amendment No. 1: Appropriates $175,780,000 for General Investigations instead of $177,831,000 as proposed by the House and $156,450,000 as proposed by the Senate.

The conference agreement includes $200,000 for the San Joaquin River Basin, Tule River, California, project for the Corps of Engineers to continue the feasibility study and design of the spillway raise at Success Lake, California.

The conference agreement includes $100,000 for the Corps of Engineers to undertake reconnaissance studies for two areas impacted by the Chena River Lakes Flood Control Project in Alaska: (1) the Aztec subdivision area, a flood control project (in cooperation with the Soil Conservation Service) and (2) dredging in the Chena River in Fairbanks to remove sediments impacting commerce and transportation in the Chena River and at the confluence of the Chena and Tanana Rivers.

The conferees have reviewed the Corps of Engineers plan of action for conducting the feasibility study of temperature control measures at the Blue River and Cougar Dams in the McKenzie River drainage in Oregon. The conferees believe that the Corps should produce a feasibility report that fully analyzes and evaluates the alternatives and, therefore, concurs in the Corps' proposed time and cost estimate. The Corps is to provide sufficient funds during fiscal year 1993 from within available funds to meet the proposed completion date of April 1995.

Amendment No. 2: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment as follows:

In lieu of the matter stricken and inserted by said amendment, insert:

Los Angeles County Drainage Area Water Conservation and Supply, California, $200,000;

Los Angeles River Watercourse Improvement, California, $300,000;

Rancho Palos Verdes, California, $400,000;

Miami River Sediments, Florida, $50,000;

Monroe County (Smathers Beach), Florida, $500,000;

Casino Beach, Illinois, $110,000;

Chicago Shoreline, Illinois, $600,000;

McCook and Thornton Reservoirs, Illinois, $3,500,000;

Lake George, Hobart, Indiana, $260,000;

Little Calumet River Basin (Cady Marsh Ditch), Indiana, $170,000;

Mississippi River, Vicinity of St. Louis, Missouri, $500,000;

Ste. Genevieve, Missouri, $750,000;

Passaic River Mainstem, New Jersey, $10,000,000; and

Red River Waterway, Shreveport, Louisiana, to Daingerfield, Texas, $2,800,000:

Provided further, That using $320,000 of the funds appropriated herein, the Secretary of the Army, acting through the Chief of Engineers, is directed to continue the cost-shared feasibility study of the Calleguas Creek, California, project based on the reconnaissance phase analyses of full intensification benefits resulting from a change in cropping patterns to more intensive crops within the floodplain. The feasibility study will consider the agricultural benefits using both traditional and nontraditional methods, and will include an evaluation of the benefits associated with the environmental protection and restoration of Mugu Lagoon: Provided further, That using $200,000 of the funds appropriated herein, the Secretary of the Army, acting through the Chief of Engineers, is directed to conduct a cost-shared feasibility study for flood control at Norco Bluffs, California, based on flood related flows and channel migration which have caused bank destabilization and damaged private property and public utilities in the area: Provided further, That using $300,000 of the funds appropriated herein, the Secretary of the Army, acting through the Chief of Engineers, is directed to expand the study of long-term solutions to shoaling problems in Santa Cruz Harbor, California, by incorporating the study of erosion problems between the harbor and the easterly limit of the City of Capitola, particularly beach-fill type solutions which use sand imported from within or adjacent to the harbor: Provided further, That using $210,000 of the funds appropriated herein, the Secretary of the Army, acting through the Chief of Engineers, is directed to include the study of Alafia River as part of the Tampa Harbor, Alafia River and Big Bend, Florida, feasibility study: Provided further, That the Secretary of the Army, acting through the Chief of Engineers, is directed to undertake a study of a greenway corridor along the Ohio River in New Albany, Clarksville, and Jeffersonville, Indiana, using $125,000 of the funds appropriated under this heading in Public Law 101-101 for Jeffersonville, Indiana, $127,000 of the funds appropriated under this heading in Public Law 101-514, and $250,000 of the funds appropriated under this heading in Public Law 102-104: Provided further, That using $450,000 of the funds appropriated herein, the Secretary of the Army, act-

ing through the Chief of Engineers, is directed to continue the development of a comprehensive waterfront plan for the White River in central Indianapolis, Indiana: Provided further, That using $250,000 of the funds appropriated herein, the Secretary of the Army, acting through the Chief of Engineers, is directed to conduct a feasibility study of the Muddy River, Boston, Massachusetts: Provided further, That using $50,000 of the funds appropriated herein, the Secretary of the Army, acting through the Chief of Engineers, is directed to undertake feasibility phase studies for the Clinton River Spillway, Michigan, project: Provided further, That using $600,000 of the funds appropriated herein and $900,000 of the funds appropriated under this heading in Public Law 102-104, the Secretary of the Army, acting through the Chief of Engineers, is directed to continue preconstruction engineering and design of the St. Louis Harbor, Missouri and Illinois, project: Provided further, That using $3,500,000 of the funds appropriated herein, the Secretary of the Army, acting through the Chief of Engineers, is directed to continue preconstruction engineering and design of the Raritan River Basin, Green Brook Sub-Basin, New Jersey, project in accordance with the design directives for the project contained in Public Law 100-202: Provided further, That using $440,000 of the funds appropriated herein, the Secretary of the Army, acting through the Chief of Engineers, is directed to review and evaluate the plan prepared by the City of Buffalo, New York, to relieve flooding and associated water quality problems in the north section of the city and to recommend other cost-effective alternatives to relieve the threat of flooding: Provided further, That using $150,000 of the funds appropriated herein, the Secretary of the Army, acting through the Chief of Engineers, is directed to undertake a reconnaissance study of the existing resources of the Black Fox and Oakland Spring wetland areas in Murfreesboro, Tennessee, and examine ways to maintain and exhibit the wetlands, including an environmental education facility: Provided further, That using $950,000 of the funds appropriated under this heading in Public Law 102-104, the Secretary of the Army, acting through the Chief of Engineers, is directed to complete preconstruction engineering and design for the Richmond Filtration Plant, Richmond, Virginia, project: Provided further, That using $250,000 of the funds appropriated herein, the Secretary of the Army, acting through the Chief of Engineers, is directed to continue the study of the disposition of the current Walla Walla, Washington, District headquarters including preparation of the environmental assessment and design work associated with demolition of the building: Provided further, That using $2,800,000 of the funds appropriated herein, the Secretary of the Army is authorized, in partnership with the Department of Transportation, and in coordination with other Federal agencies, including the Department of Energy, to evaluate the results of completed research and development associated with an advanced high speed magnetic levitation transportation system and to prepare and present documents summarizing the research findings and supporting the resultant recommendations concerning the Federal role in advancing United States maglev technology: Provided further, That using $300,000 of the funds appropriated herein, the Secretary of the Army, acting through the Chief of Engineers, is directed to initiate the feasibility phase of the study of the Devil's Lake Basin, North Dakota, and shall address the needs of the area for water management; stabilized lake levels, to include inlet and outlet controls; water supply; water quality; recreation; and enhancement and conservation of fish and wildlife: Provided further, That the Secretary of the Army, acting through the Chief of Engineers, is directed to utilize up to $100,000, within available funds, to initiate studies to determine the necessary remedial measures to restore the environmental integrity of the lake area and channel depths necessary for small recreational boating in the vicinity of Drakes Creek Park on Old Hickory Lake, Tennessee: Provided further, That using $500,000 of available funds, the Secretary of the Army, acting through the Chief of Engineers, is directed to initiate preconstruction engineering and design; and environmental studies for the Kaumalapau Harbor, Lanai, Hawaii, project

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The conference agreement includes provisions contained in both the House- and Senate-passed bills for the following projects: Los Angeles County Drainage Area Water Conservation and Supply, California; Rancho Palos Verdes, California; Miami River Sediments, Florida; Casino Beach, Illinois; Calleguas Creek, California; Norco Bluffs, California; Santa Cruz Harbor, California; Tampa Harbor, Florida; Muddy River, Boston, Massachusetts; Clinton River Spillway, Michigan; St. Louis Harbor, Missouri and Illinois; Murfreesboro, Tennessee; and Richmond Filtration Plant, Virginia.

The conference agreement restores provisions included by the House and stricken by the Senate for the following projects: Los Angeles River Watercourse Improvement, California; Monroe County (Smathers Beach), Florida; Lake George, Hobart, Indiana; New Albany, Clarksville, and Jeffersonville, Indiana; White River, Indianapolis, Indiana; and Walla Walla, Washington.

The conference agreement restores funding levels proposed by the House and amended by the Senate for the following projects: McCook and Thornton Reservoirs, Illinois; Mississippi River, Vicinity of St. Louis, Missouri; Ste. Genevieve, Missouri; Passaic River Mainstem, New Jersey; Red River Waterway, Shreveport, Louisiana, to Daingerfield, Texas; Raritan River Basin, Green Brook Sub-Basin, New Jersey; and Buffalo, New York.

The conference agreement provides $600,000 for the Chicago Shoreline, Illinois, project instead of $800,000 as proposed by the House and $400,000 as proposed by the Senate and provides $170,000 for the Little Calumet River Basin (Cady Marsh Ditch), Indiana, project as proposed by the Senate instead of $400,000 as proposed by the House.

The conference agreement includes provisions proposed by the Senate for the following projects or programs: magnetic levitation transportation research and development; Devil's Lake Basin, North Dakota; Old Hickory Lake, Tennessee; and Kaumalapau Harbor, Lanai, Hawaii.

The conference agreement includes $3,500,000 for preconstruction engineering and design of the McCook and Thornton Reservoirs project in Illinois as proposed by the House. Notwithstanding the language contained in House Report 102-555, the conferees have been advised that although progress has been made regarding the acquisition of lands for the project, no formal agreement has yet been reached between the owners of the property needed for construction of the McCook Reservoir and the local sponsors of the project. The conferees would therefore urge the parties to continue with their negotiations so that the project may proceed in a timely manner. The conferees expect the Corps of Engineers to take such actions as necessary in the planning, engineering and design of the McCook project so that construction could be initiated in fiscal year 1994.

The conference agreement includes $440,000 for the Corps of Engineers to review the North Buffalo flood control plan for the City of Buffalo, New York. The conferees direct the Corps to use its technical expertise to evaluate the present Buffalo plan including recommendations for possible other cost-effective alternatives, and not initiate a new study for this project.

The conferees direct the Secretary to use the same methodologies and interest rate to derive benefits, costs, benefit-cost ratio, and cost allocations for the Red River Waterway, Shreveport, Louisiana, to Daingerfield, Texas, project as was used for the previous portions of the Red River Waterway project.

Amendment No. 3: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate that directs the Secretary of the Army to utilize $500,000 to undertake a reconnaissance study of flooding problems associated with the sanitary landfill on the Salt River Pima-Maricopa Indian Reservation in the vicinity of the Salt River, Arizona.

Amendment No. 4: Reported a technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate that directs the Secretary of the Army to utilize $500,000 to continue preconstruction engineering and design for the Kentucky Lock, Kentucky, project in accordance with the Report of the Chief of Engineers dated June 1, 1992.

Amendment No. 5: Deletes language proposed by the Senate that directs the Secretary of the Army to complete preconstruction engineering and design for the McCook and Thornton Reservoirs project in Illinois, including all activities necessary to ready the project for construction in fiscal year 1994.

Amendment No. 6: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment as follows:

In lieu of the sum named in said amendment, insert: *$1,000,000*

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The conference agreement includes $1,000,000 for the Corps of Engineers to carry out the purposes of section 411 of Public Law 101-640. Of these funds, $150,000 is available for the Corps of Engineers to continue its support of the Onondaga Lake Management Conference and $850,000 is available for preconstruction engineering and design of demonstration projects to address water quality problems in Onondaga Lake, New York.

CONSTRUCTION, GENERAL

Amendment No. 7: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment as follows:

In lieu of the sum stricken and inserted by said amendment, insert: *$1,230,503,000*

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The conference agreement appropriates $1,230,503,000 for Construction, General excluding the Red River Waterway Project instead of $1,235,502,000 as proposed by the House and $1,233,937,000 as proposed by the Senate.

The conferees are aware that the Corps of Engineers is currently proceeding with preparation of the design memorandum for phase II of the Mississippi River Ship Channel, Gulf to Baton Rouge, Louisiana, project which includes a dredging-only process for maintaining the channel. The approval of the design memorandum is scheduled for the end of calendar year 1992, with execution of the LCA occurring shortly thereafter. Previous delays in completing this phase are of great concern to the House and Senate Committees, therefore, the Corps is directed to use the funds included herein to initiate and expedite construction of phase II, as authorized by the Water Resources Development Acts of 1986 and 1988, immediately after the execution of the LCA.

The budget request included $25,406,000 for the Corps of Engineers to settle a claim at the Joe Pool Lake, Texas, project. The conferees have been advised that the claim is still under consideration by the courts. Therefore, the conferees have deleted the funding for settlement of the claim and direct the Corps of Engineers to rebudget for the claim when the final settlement is reached.

The conferees recognize that the funding identified for the 31-acre Sonoma Baylands Coastal America site should also be considered for use in the overall 320-acre Sonoma Baylands Wetland Demonstration Project, provided that the project is authorized by Congress.

The conferees have been advised that the Corps of Engineers will propose a reprogramming of $10,000,000 to accelerate work on the Kill Van Kull and Newark Bay Channel, New York and New Jersey, project. The conferees fully support this project and the House and Senate Committees look forward to receiving the reprogramming request.

Within available funds, the Corps of Engineers is directed to use up to $10,000,000 for the continuation of the NW 86 Street Extension to Interstate 35/80 at the Saylorville Lake project in Iowa.

The conference agreement includes funds for the following projects within the Corps of Engineers Continuing Authorities Programs:

Emergency Streambank and Erosion Control (Section 14).—Indian Creek, Burton Road, Morgan County, Indiana, $72,000; Watermelon Hollow Road, Sugar Creek, Montgomery County, Indiana, $63,000; Terre Haute Waste Treatment Plant, Vigo County, Indiana, $180,000; St. Joseph River at Indiana University, Indiana, $200,000; and Sequoyah Hills Park, Knoxville, Tennessee, $450.000.

Small Navigation Projects (Section 107).—Cooley Canal, Lucas County, Ohio, $100,000; Neabsco Creek, Virginia, $70,000; and Drum Inlet, North Carolina, $167,000.

Small Flood Control Projects (Section 205).—Northport, Alabama, $200,000; Jackson, Kentucky, $205,000; Mayfield Creek, Kentucky; Windsor Park, Las Vegas, Nevada, $100,000; Lytle Creek, Murfreesboro, Tennessee, $105,000; Pike Creek, Alexandria, Indiana, $120,000; and Duck Creek, Elwood, Indiana, $100,000.

Amendment No. 8: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate that permits the use of funds available in the Inland Waterways Trust Fund for rehabilitation of Locks and Dams 13 and 15 on the Mississippi River and Brandon Road, Dresden Island, Marseilles, and Lockport Locks and Dams on the Illinois Waterway.

Amendment No. 9: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment as follows:

In lieu of the matter stricken and inserted by said amendment, insert:

Kissimmee River, Florida, $8,000,000;

O'Hare Reservoir, Illinois, $3,000,000;

Des Moines Recreational River and Greenbelt, Iowa, $2,500,000;

Red River Basin Chloride Control, Texas and Oklahoma, $6,000,000;

Wallisville Lake, Texas, $500,000; and

LaConner, Washington, $870,000:

Provided further, That using $7,653,000 of the funds appropriated herein, the Secretary of the Army, acting through the Chief of Engineers, is directed to continue the project to correct seepage problems at Beaver Lake, Arkansas, and all costs incurred in carrying out that project shall be recovered in accordance with the provisions of section 1203 of the Water Resources Development Act of 1986: Provided further, That the Secretary of the Army, acting through the Chief of Engineers, is directed to base all economic analyses of the Sacramento River Flood Control (Deficiency Correction), California, project on the benefits of the entire project, rather than the benefits of individual increments of the project: Provided further, That the Secretary of the Army, acting through the Chief of Engineers, shall expend $500,000 of the funds appropriated herein and additional amounts as required from previously appropriated funds to continue plans and specifications, environmental documentation, and the comprehensive hydraulic modeling necessary to achieve to the maximum extent practicable in fiscal year 1993 the project to restore the riverbed gradient at Mile 206 of the Sacramento River in California, for purposes of stabilizing the level of the river and establishing the proper hydraulic head to facilitate new fish protection facilities, the planning, design and implementation of which are integrally related to the planning, design and implementation of the project to restore the flood-damaged riverbed gradient: Provided further, That using $660,000 in funds previously appropriated in Public Law 102-104, the Secretary of the Army, acting through the Chief of Engineers, is directed to develop a floodplain management planning model for the Yolo Bypass and adjacent areas as deemed appropriate, except, as provided in section 321 of Public Law 101-640, such funds shall not be subject to cost-sharing requirements. The one-time construction of operation and maintenance facilities associated with the Yolo Basin Wetlands, Sacramento River, California, project shall be included as part of project costs for the purposes of cost-sharing authorized by law: Provided further, That using $4,000,000 of the funds appropriated herein, the Secretary of the Army, acting through the Chief of Engineers, is directed to complete preconstruction engineering and design for the San Timoteo feature of the Santa Ana River Mainstem, California, project: Provided further, That using funds available in this Act or any previous appropriations Act, the Secretary of the Army shall undertake at Federal expense such actions as are necessary to ensure the safety and integrity of the work performed under Contract Number DACW05-86-C-0101 for the Walnut Creek, California, flood control project: Provided further, That using $700,000 of the funds appropriated herein, the Secretary of the Army, acting through the Chief of Engineers, is directed to continue work on project modifications for the improvement of the environment, as part of the Anacostia River Flood Control and Navigation project, District of Columbia and Maryland, under the authority of section 1135 of Public Law 99-662, as amended: Provided further, That using $3,000,000 of the funds appropriated under this heading in Public Law 101-514, the Secretary of the Army, acting through the Chief of Engineers, is directed to complete real estate appraisals and make offers to willing sellers for the purchase of land at Red Rock Lake and Dam, Iowa, no later that October 31, 1993, in accordance with Public Law 99-190: Provided further, That with $22,500,000 of the funds appropriated herein to remain available until expended, the Secretary of the Army, acting through the Chief of Engineers, is directed to continue to undertake structural and nonstructural work associated with the Barbourville, Kentucky, and the Harlan, Kentucky, elements of the Levisa and Tug Forks of the Big Sandy River and Upper Cumberland River project authorized by section 202 of Public Law 96-367: Provided further, That with $20,565,000 of the funds appropriated herein to remain available until expended, the Secretary of the Army, acting through the Chief of Engineers, is directed to continue to undertake structural and nonstructural work associated with the Matewan, West Virginia, element of the Levisa and Tug Forks of the Big Sandy River and Upper Cumberland River project authorized by section 202 of Public Law 96-367: Provided further, That with $23,000,000 of prior year appropriations to remain available until expended, the Secretary of the Army, acting through the Chief of Engineers, is directed to continue construction of the Lower Mingo County, West Virginia, element of the Levisa and Tug Forks of the Big Sandy River and Upper Cumberland River project authorized by section 202 of Public Law 96-367: Provided further, That with $1,500,000 of the funds appropriated herein to remain available until expended, the Secretary of the Army, acting through the Chief of Engineers, is directed to initiate and complete construction, using continuing contracts, of the Hatfield Bottom, West Virginia, element of the Levisa and Tug Forks of the Big Sandy River and Upper Cumberland River project authorized by section 202 of Public Law 96-367: Provided further, That with $1,195,000 of the funds appropriated herein to remain available until expended, the Secretary of the Army, acting through the Chief of Engineers, is directed to expedite completion of specific project reports for McDowell County, West Virginia, Upper Mingo County, West Virginia, Wayne County, West Virginia, Upper Tug Fork Tributaries, West Virginia, Tug Fork, West Virginia, and Pike County, Kentucky: Provided further, That no fully allocated funding policy shall apply to construction of the Matewan, West Virginia, Lower Mingo County, West Virginia, Hatfield Bottom, West Virginia, Barbourville, Kentucky, and Harlan, Kentucky, elements of the Levisa and Tug Forks of the Big Sandy River and Upper Cumberland River project; and specific project reports for McDowell County, West Virginia, Upper Mingo County, West Virginia, Wayne County, West Virginia, Tug Folk Tributaries, West Virginia, Upper Tug Fork, West Virginia, and Pike County, Kentucky: Provided further, That using $400,000 of the funds appropriated herein, the Secretary of the Army, acting through the Chief of Engineers, is directed to continue construction of the Salyersville cut-through as authorized by Public Law 99-662, section 401(e)(1), in accordance with the Special Project Report for Salyersville, Kentucky, concurred in by the Ohio River Division Engineers on or about July 26, 1989: Provided further, That using $7,700,000 of the funds appropriated herein and $4,300,000 of the funds appropriated in Public Law 102-104, the Secretary of the Army, acting through the Chief of Engineers, is directed to incorporate parallel protection along the Orleans and London Avenue Outfall Canals into the authorized Lake Pontchartrain and Vicinity, Louisiana, Hurricane Protection project and award continuing contracts for construc-

tion of this parallel protection to be cost-shared as part of the overall project, not separately, in accordance with the cost-sharing provisions outlined in Public Law 89-298 and Public Law 102-104. Therefore, agreements executed prior to June 1, 1992, between the Federal Government and the local sponsors for the authorized project shall suffice for this purpose and will not require any additional local cost-sharing agreements or supplements: Provided further, That using $4,400,000 of the funds appropriated herein, the Secretary of the Army, acting through the Chief of Engineers, is directed to continue design and construction of the Ouachita River levees, Louisiana, project in an orderly but expeditious manner including rehabilitation or replacement at Federal expense of all deteriorated drainage structures which threaten the security of this critical protection: Provided further, That the project for flood control, Sowashee Creek, Meridian, Mississippi, authorized by the Water Resources Development Act of 1986 (Public Law 99-662) is modified to authorize and direct the Secretary of the Army, acting through the Chief of Engineers, to construct the project with an expanded scope recreation plan, as described in the Post Authorization Change Report of the Chief of Engineers dated August 1991, and at a total project cost of $31,994,000 with an estimated first Federal cost of $19,706,000 and an estimated non-Federal cost of $12,288,000. The Federal share of the cost of the recreation features shall be 50 percent exclusive of lands, easements, rights-of-way and relocations: Provided further, That using $175,000 of the funds appropriated herein, the Secretary of the Army, acting through the Chief of Engineers, is directed to provide sewage disposal hookup for the Crosswinds Marina at the B. Everett Jordan Dam and Lake, North Carolina, project: Provided further, That using $300,000 of the funds appropriated herein, the Secretary of the Army, acting through the Chief of Engineers, is directed to continue work on the Feature Design Memorandum for the Forest Ridge Peninsula Recreation Area at the Falls Lake, North Carolina, project: Provided further, That using $5,000,000 of the funds appropriated herein, the Secretary of the Army, acting through the Chief of Engineers, is directed to continue work on the New York Harbor Collection and Removal of Drift, New York and New Jersey, project including the continuation of engineering and design of the remaining portions of the Brooklyn 2, Kill Van Kull, Shooters Island, Bayonne, and Passaic River Reaches, the completion of the design memoranda for the Arthur Kill, New York, and Arthur Kill, New Jersey, reaches, the continuation of construction on the Weehawken-Edgewater, New Jersey and Brooklyn 2 reaches, and the completion of construction on the Jersey City North 2 reach: Provided further, That using $1,000,000 of the funds appropriated herein, the Secretary of the Army, acting through the Chief of Engineers, is directed to initiate construction of the project for flood control, Molly Ann's Brook, New Jersey, in compliance with cost-sharing provided in section 1062 of the Intermodal Surface Transportation Efficiency Act of 1991 (Public Law 102-240): Provided further, That using $2,000,000 of the funds appropriated herein to remain available until expended, the Secretary of the Army, acting through the Chief of Engineers, is authorized and directed to pay such sums or undertake such measures as are necessary to compensate for costs of repair, relocation, restoration, or protection of public and private property and facilities in Washington and Idaho damaged by the drawdown undertaken in March 1992 by the United States Army Corps of Engineers at the Little Goose and Lower Granite projects in Washington: Provided further, That using not to exceed $2,000,000 of the funds appropriated herein for the Columbia River Juvenile Fish Mitigation, Washington, project, the Secretary of the Army, acting through the Chief of Engineers, is authorized to undertake advanced planning and design of modifications to public and private facilities that may be affected by operation of John Day Dam at minimum operating pool (elevation 257 feet): Provided further, That using $2,500,000 of the funds appropriated herein, the Secretary of the Army, acting through the Chief of Engineers, is directed upon dissolution of the injunction by the United States District Court, to conduct the necessary engineering and design, and prepare the plans and specifications to resume construction of the Elk Creek Dam in Oregon: Provided further, That the Secretary of the Army is directed to permit the non-Federal sponsor of recreation facilities at Willow Creek Lake in Oregon to contribute, in lieu of cash, all or any portion of its share of the project with work in-kind, including volunteer labor and donated materials and equipment: Provided further, That with $2,000,000 of the funds appropriated herein, the Secretary of the Army, acting through the Chief of Engineers, is directed to undertake further construction aspects of the Bethel, Alaska, Bank Stabilization Project as authorized by Public Law 99-662 including but not limited to the installation of steel whalers and additional rock toe protection to the pipe pile, bulkheads and other areas vulnerable to collapse: Provided further, That no fully allocated funding policy shall apply to construction of the Bethel, Alaska, Bank Stabilization Project and to the greatest extent possible the work described herein should be compatible with the authorized project: Provided further, That using funds made available in this Act or any previous appropriations Act, the Secretary of the Army shall construct a project for streambank protection along 2.2 miles of the Tennessee River adjacent to Sequoyah Hills Park in Knoxville, Tennessee, at a total cost of $600,000, with an estimated first Federal cost of $450,000 and an estimated first non-Federal cost of $150,000: Provided further, That with $3,000,000 of the funds appropriated herein, the Secretary of the Army, acting through the Chief of Engineers, is authorized and directed to excavate the St. George Harbor, Alaska, entrance to -20 MLLW in accordance with the cost-sharing provisions in Public Law 99-662

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The conference agreement includes provisions contained in both the House- and Senate-passed bills for the following projects: O'Hare Reservoir, Illinois; Red River Basin Chloride Control, Texas and Oklahoma; Wallisville Lake, Texas; Beaver Lake, Arkansas; Sacramento River, California; Yolo Bypass, California; San Timoteo, Santa Ana River Mainstem, California; Walnut Creek, California; Anacostia River, District of Columbia and Maryland; Red Rock Lake and Dam, Iowa; Sowashee Creek, Mississippi; B. Everett Jordan Dam and Lake, North Carolina; Forest Ridge Peninsula Recreation Area, Falls Lake, North Carolina; and New York Harbor Collection and Removal of Drift, New York and New Jersey.

The conference agreement restores provisions included by the House and stricken by the Senate for the following projects: Kissimmee River, Florida; Sacramento River Flood Control (Deficiency Correction), California; and Salyersville, Kentucky.

The conference agreement provides $2,500,000 for the Des Moines Recreational River and Greenbelt, Iowa, project as proposed by the House instead of $1,000,000 as proposed by the Senate.

The conference agreement deletes language proposed by the House and stricken by the Senate for the Ouachita-Black Rivers, Arkansas and Louisiana, and the Falls Lake, North Carolina, projects. The Falls Lake project is addressed in Amendment No. 11.

The conference agreement amends House language for the Harlan and Barbourville, Kentucky; Lake Pontchartrain and Vicinity, Louisiana; and Little Goose and Lower Granite, Washington, projects as proposed by the Senate.

The conference agreement includes provisions proposed by the Senate for the following projects: Matewan, West Virginia; Lower Mingo County, West Virginia; Hatfield Bottom, West Virginia; specific project reports for various elements of the project authorized by section 202 of Public Law 96-367; Ouachita River levees, Louisiana; Columbia River Juvenile Fish Mitigation, Washington; Elk Creek Dam, Oregon; Willow Creek Lake, Oregon; Bethel, Alaska; Sequoyah Hills Park, Knoxville, Tennessee; and St. George Harbor, Alaska.

The conference agreement also includes funds for the LaConner, Washington, project, and the Molly Ann's Brook, New Jersey, project.

Amendment No. 10: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate that provides $250,000 for the Corps of Engineers to demolish and remove the India Point Railroad Bridge over the Seekonk River in Providence, Rhode Island, as authorized by section 1166(c) of Public Law 99-662.

Amendment No. 11: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate that directs the Secretary of the Army to correct a design deficiency at the Falls Lake, North Carolina, project. The House-passed bill contained similar language that was stricken by the Senate in Amendment No. 9.

Amendment No. 12: Deletes Senate language that provides $500,000 for the Ventura Harbor, California, project. Funding for this project is included in the amount appropriated in Amendment No. 7.

Amendment No. 13: Appropriates $130,000,000 for construction of the Red River Waterway, Mississippi River to Shreveport, Louisiana, project as proposed by the Senate instead of $90,000,000 as proposed by the House.

The conferees are very concerned about delays in the acquisition of mitigation lands for wildlife losses associated with the construction and operation of the project; specifically, lands in the authorized areas of Loggy Bayou and Bayou Bodcau. Therefore, the Corps of Engineers is urged to expedite all appropriate procedural requirements necessary for land acquisition to begin and to provide a report to the Committees on Appropriations on the overall acquisition schedule, status of the Real Estate Design Memorandum and Local Cooperation Agreement for each area.

FLOOD CONTROL, MISSISSIPPI RIVER AND TRIBUTARIES, ARKANSAS, ILLINOIS, KENTUCKY, LOUISIANA, MISSISSIPPI, MISSOURI, AND TENNESSEE

Amendment No. 14: Appropriates $351,182,000 for Flood Control, Mississippi River and Tributaries, as proposed by the Senate instead of $365,432,000 as proposed by the House.

The conferees agree with the language contained in the House Report regarding the Yazoo Basin, Mississippi, Demonstration Erosion Control Program.

Within the funds available, the conference agreement includes an additional $1,200,000 to complete the construction of levee step-paving and other improvements in Baton Rouge, Louisiana.

Amendment No. 15: Restores House language stricken by the Senate that directs the Corps of Engineers to continue work on the Eastern Arkansas Region, Arkansas, project amended to provide that $1,000,000 shall be available for that purpose instead of $2,000,000 as proposed by the House.

OPERATION AND MAINTENANCE, GENERAL

Amendment No. 16: Appropriates $1,541,668,000 for Operation and Maintenance, General instead of $1,551,905,000 as proposed by the House and $1,522,961,000 as proposed by the Senate.

The conference agreement includes $628,000 for operation and maintenance of the Oceanside, California, Experimental Sand Bypass System. The conferees direct the Corps of Engineers to continue the development of this system through completion of Phase III to demonstrate the ability of the system to reduce channel maintenance costs.

Under the Local Cooperation Agreement between the Department of the Army and the State of Texas for the Cooper Lake and Channels, Texas, project, the Government has an obligation to determine when and where shoreline erosion threatens the Federal investment and to determine what economically feasible measures may be undertaken to protect the Federal investment. The conferees are aware that shoreline erosion is already occurring at the Cooper Lake, Texas, project and that a concept proposal has been drafted by the Corps to address this problem. The conferees are concerned about the high cost of the rudimentary solution proposed by the Corps, particularly when compared to a private study that has been conducted for a larger shoreline area and uses a more advanced design and technology for shoreline protection. The conferees direct the Secretary to conduct a comprehensive erosion control study, to be submitted to the House and Senate Committees on Appropriations by February 1, 1993, that will focus on cost efficiencies and utilization of advanced erosion control measures in order to protect both the Federal investment and potential public/private development at Cooper Lake.

The conferees are concerned about the boat safety problems occurring at the Highway 155 bridge area of Lake O' The Pines, Texas. Within available funds, the Secretary is directed to perform necessary dredging and stump removal maintenance and to mark a 50-foot wide boat lane to the main body of water along the existing creek channel as previously marked by the Corps of Engineers.

The Allegheny River Navigation System was constructed in the 1930's and is in a state of disrepair. Consequently, the conferees have provided an additional $3,000,000 for maintenance of the antiquated Allegheny River Navigation System. The funds are required to overhaul the failing gate operating machinery at Locks 2 and 5, repair the severely damaged concrete walls at Locks 7 and 8, and replace the unsafe tow haulage unit at Lock 5.

Within available funds, the conferees direct the Corps of Engineers to utilize $45,000 to develop and execute a local cooperation agreement, design and construct a permanent fish screen, and complete all other actions necessary to turn over the Kankakee River Ice Management Project at Wilmington, Illinois, to the local sponsor for operation and maintenance.

Amendment No. 17: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment as follows:

In lieu of the matter stricken and inserted by said amendment, insert: *Provided further, That $2,285,000 of the funds appropriated herein shall be used by the Secretary of the Army, acting through the Chief of Engineers, to continue the development of recreational facilities at Hansen Dam, California: Provided further, That $2,000,000 of the funds appropriated herein, to remain available until expended, shall be used by the Secretary of the Army, acting through the Chief of Engineers, to continue the development of recreational facilities at Sepulveda Dam, California: Provided further, That using $2,000,000 of the funds appropriated herein, the Secretary of the Army, acting through the Chief of Engineers, is directed to continue the repair and rehabilitation of the Flint River, Michigan, flood control project: Provided further, That $40,000 of the funds appropriated herein shall be used by the Secretary of the Army, acting through the Chief of Engineers, to continue the project for removal of silt and aquatic growth at Sauk Lake, Minnesota: Provided further, That the Secretary of the Army, acting through the Chief of Engineers, is directed to use up to $1,200,000 of available funds to undertake high priority recreational improvements at the Skiatook Lake, Oklahoma, project: Provided further, That using $1,500,000 of the funds appropriated herein, the Secretary of the Army, acting through the Chief of Engineers, is directed to continue work on measures needed to alleviate bank erosion and related problems associated with reservoir releases along the Missouri River below Fort Peck Dam, Montana, as authorized by section 33 of the Water Resources Development Act of 1988: Provided further, That the Secretary of the Army, acting through the Chief of Engineers, is authorized to operate and maintain at Federal expense the Passaic River flood warning system element to the Passaic River Mainstem Project, New Jersey, prior to construction of the project, and using $350,000 of the funds appropriated herein, the Secretary shall operate and maintain such element: Provided further, That the Secretary of the Army, acting through the Chief of Engineers, is directed to work with the U.S. Environmental Protection Agency to begin the immediate clean-up of the Ashtabula River, Ohio: Provided further, That using $600,000 of the funds appropriated herein, the Secretary of the Army, acting through the Chief of Engineers, is directed to update the project Master Plan for the Raystown Lake, Pennsylvania, project: Provided further, That using $1,000,000 of the funds appropriated herein, the Secretary of the Army, acting through the Chief of Engineers, is authorized and directed to plan, design, and dredge an access channel and berthing area for the vessel NIAGARA at Erie Harbor, Pennsylvania, in an area known at the East Canal: Provided further, That the Secretary of the Army, acting through the Chief of Engineers, is authorized and directed to use up to $5,000,000 of available funds to undertake necessary maintenance of the Kentucky River Locks and Dams 5-14, Kentucky, prior to transfer of such facilities to the Commonwealth of Kentucky pursuant to the Memorandum of Understanding executed in 1985 concerning the Kentucky River Locks and Dams 5-14: Provided further, That using $1,000,000 of the funds appropriated herein, the Secretary of the Army, acting through the Chief of Engineers, is directed to construct and maintain bank stabilization measures along the west bank of the Calcasieu River Ship Channel in Louisiana from mile 11.5 through mile 15.5*

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The conference agreement includes provisions contained in both the House- and Senate-passed bills for the following projects: Missouri River below Fort Peck Dam, Montana; Ashtabula River, Ohio; and Raystown Lake, Pennsylvania.

The conference agreement restores House language stricken by the Senate for the Hansen Dam, California; Sepulveda Dam, California; Flint River, Michigan; and Sauk Lake, Minnesota, projects.

The conference agreement includes language proposed by the Senate for the Skiatook Lake, Oklahoma; Kentucky River, Kentucky; and Calcasieu River, Louisiana, projects.

The conference agreement also includes funds for operation and maintenance of the Passaic River, New Jersey, Flood Warning System and additional funds for the Erie Harbor, Pennsylvania, project for dredging of an access channel in the East Canal.

From within funds provided for the Kentucky River, Locks and Dams 5-14, project, the conferees direct the Corps of Engineers to spend not more than $300,000 to identify, in concurrence with officials from the Commonwealth of Kentucky, the most critical items in need of repair and that are required to enhance the dependability of the dams for their water supply function.

Amendment No. 18: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment as follows:

In lieu of "475.5" named in said amendment, insert *475.6*

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The conference agreement includes language proposed by the Senate that directs the Secretary of the Army to maintain a minimum conservation pool at Wister Lake, Oklahoma, amended to make a technical correction.

REGULATORY PROGRAM

Amendment No. 19: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment as follows:

In lieu of the matter inserted by said amendment, insert:

None of the funds in this Act shall be used to identify or delineate any land as a "water of the United States" under the Federal Manual for Identifying and Delineating Jurisdictional Wetlands that was adopted in January 1989 or any subsequent manual adopted without notice and public comment.

Furthermore, the Corps of Engineers will continue to use the Corps of Engineers 1987 Manual, as it has since August 17, 1991, until a final wetlands delineation manual is adopted.

None of the funds in this Act shall be used to finalize or implement the proposed regulations to amend the fee structure for the Corps of Engineers regulatory program which were published in Federal Register, Vol. 55, No. 197, Thursday, October 11, 1990.

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The conference agreement includes language proposed by the Senate regarding Corps of Engineers procedures for delineating jurisdictional wetlands amended to provide that none of the funds appropriated in the Act shall be used to delineate any land as a "water of the United States" using the Federal Manual for Identifying and Delineating Jurisdictional Wetlands issued in Janu-

ary 1989 or any subsequent manual adopted without notice and public comment and that none of the funds appropriated in the Act may be used to implement proposed reguiations to amend the fee structure for the Corps' regulatory program. The conference agreement deletes language included in the Senate amendment that referred to the Administrative Procedure Act and that established a procedure for handling ongoing permit and enforcement actions.

FLOOD CONTROL AND COASTAL EMERGENCIES

Amendment No. 20: Appropriates $10,000,000 for Flood Control and Coastal Emergencies as proposed by the Senate instead of $15,000,000 as proposed by the House.

GENERAL EXPENSES

Amendment No. 21: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate that prohibits the use of funds to close any district office of the Corps of Engineers and permits the Secretary of the Army to transfer not to exceed $7,000,000 from other appropriations in Title I to General Expenses to further a more efficient headquarters and division office structure.

GENERAL PROVISIONS

CORPS OF ENGINEERS—CIVIL

Amendment No. 22: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment as follows:

In lieu of the matter inserted by said amendment, insert:

GENERAL PROVISIONS

CORPS OF ENGINEERS—CIVIL

SEC. 101. Public Law 101-302 (104 Stat. 213) is amended by striking the words "to meet the present emergency needs" under the General Expenses appropriation title of Corps of Engineers—Civil.

SEC. 102. Any funds heretofore appropriated and made available in Public Law 99-88 for construction of facilities at the Mill Creek recreation area of the Tioga-Hammond Lakes, Pennsylvania, project; in Public Law 100-71 for initiation of land acquisition activities as described in section 1114 of Public Law 99-662; and in Public Law 101-101 for construction of the Satilla River Basin, Georgia, project, and for acquisition of an icebreaking boat and equipment for the Kankakee River, Illinois, project, may be utilized by the Secretary of the Army in carrying out projects and activities funded by this Act.

SEC. 103. The Secretary of the Army, acting through the Chief of Engineers, is directed to maintain in caretaker status the navigation portion of the Fox River System in Wisconsin. The Assistant Secretary of the Army for Civil Works shall take over negotiations with the State of Wisconsin for the orderly transfer of ownership and operation of the Fox River Lock System to a non-Federal entity. These negotiations shall commence immediately, be conducted in good faith, and be completed as soon as possible. The terms of a negotiated settlement shall be presented to Congress immediately upon the completion of these negotiations. The settlement shall include provisions for both the logistics and timing of the transfer of the Lock System, as well as a negotiated recommendation for monetary compensation to the non-Federal entity for the repair and rehabilitation of damage and deterioration associated with all appropriate portions of the Fox River System which are being transferred.

SEC. 104. The requirements of section 103(a)(1)(A) of the Water Resources Development Act of 1986 (33 U.S.C. 2213), as pertains to the Moorefield and Petersburg, West Virginia, flood protection projects, are deemed satisfied, in consideration of the transfer of Grandview State Park by the State of West Virginia to the National Park Service for inclusion in the New River Gorge National River.

SEC. 105. None of the funds appropriated in this Act shall be used to implement the proposed rule for the Army Corps of Engineers amending regulations on "ability to pay" (33 CFR Part 241), published in the Federal Register, vol. 56, No. 114, on Thursday, June 13, 1991.

SEC. 106. In fiscal year 1993, the Secretary shall advertise for competitive bid at least 7,500,000 cubic yards of the hopper dredge volume accomplished with government-owned dredges in fiscal year 1992.

Notwithstanding the provisions of this section, the Secretary is authorized to use the dredge fleet of the Corps of Engineers to undertake projects when industry does not perform as required by the contract specifications or when the bids are more than 25 percent in excess of what the Secretary determines to be a fair and reasonable estimated cost of a well equipped contractor doing the work or to respond to emergency requirements.

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The conference agreement: includes language proposed by the Senate in section 101 that will permit the Corps of Engineers to utilize the unobligated balances remaining from funds appropriated in Public Law 101-302 for costs incurred as a result of a fire that damaged the Corps' Washington headquarters; includes language proposed by the Senate in section 102 that permits the Corps of Engineers to utilize funds previously appropriated for the Tioga-Hammond Lakes, Pennsylvania, the Cross Florida Barge Canal, Florida, the Satilla River Basin, Georgia, and the Kankakee River, Illinois, projects for other activities funded in the Act; includes language proposed by the Senate in section 103 that directs the Chief of Engineers to maintain in caretaker status the navigation portion of the Fox River, Wisconsin, project and directs the Assistant Secretary of the Army for Civil Works to take over negotiations with the State of Wisconsin for the orderly transfer of ownership and operation of the Fox River system to a non-Federal entity; amends language proposed by the Senate in section 104 regarding the Moorefield, West Virginia, and Petersburg, West Virginia, flood control projects; includes language proposed by the Senate in section 105 that provides that none of the funds appropriated in the Act shall be used to implement the proposed rule amending regulations on "ability to pay" published in the Federal Register on June 13, 1991; and amends language proposed by the Senate in section 106 regarding the Corps of Engineers hopper dredge fleet. The amended language provides that in fiscal year 1993 the Secretary of the Army shall advertise for competitive bid at least 7,500,000 cubic yards of hopper dredge volume accomplished with government-owned dredges in fiscal year 1992 and includes a provision that authorizes the Secretary to use the Corps of Engineers dredge fleet to undertake projects under certain conditions. The conferees direct that the Corps of Engineers hopper dredges continue to be homeported in their current locations.

CORPS OF ENGINEERS - GENERAL INVESTIGATIONS

TYPE OF PROJECT	PROJECT TITLE	BUDGET ESTIMATES INVESTIGATIONS	BUDGET ESTIMATES PLANNING	CONFERENCE ALLOWANCE INVESTIGATIONS	CONFERENCE ALLOWANCE PLANNING
	ALABAMA				
(N)	CHICKASAW CREEK, AL	165,000	---	165,000	---
(FDP)	CHOCTAWHATCHEE AND PEA RIVER BASINS, AL & FL	400,000	---	400,000	---
(FDP)	METROPOLITAN HUNTSVILLE-MADISON CO., AL	500,000	---	500,000	---
(FC)	VALLEY CREEK, WARRIOR RIVER AND TRIBUTARIES, AL	---	200,000	---	---
	ALASKA				
	CHENA RIVER COMPREHENSIVE STUDY, AK	---	---	100,000	---
(N)	CHIGNIK HARBOR, AK	125,000	---	125,000	---
(N)	COOK INLET, AK	400,000	---	400,000	---
(FDP)	SEWARD AREA RIVERS, AK	300,000	---	300,000	---
(FDP)	SEWARD, FOURTH OF JULY CREEK, AK	149,000	---	149,000	---
(FDP)	SEWARD, LOWELL CREEK, AK	220,000	---	220,000	---
(N)	SITKA HARBOR, AK	---	360,000	---	360,000
(N)	WRANGELL NARROWS AND DRY STRAITS, AK	300,000	---	300,000	---
	ARIZONA				
(FDP)	CENTRAL MARICOPA COUNTY DRAINAGE AREA, AZ	400,000	---	400,000	---
(FDP)	HASSAYAMPA RIVER AT WICKENBURG, AZ	230,000	---	230,000	---
(FC)	LOWER SANTA CRUZ RIVER, AZ	---	100,000	---	100,000
(FC)	RILLITO RIVER, AZ	---	866,000	---	866,000
	SALT RIVER, AZ	---	---	500,000	---
(FDP)	TUCSON DRAINAGE AREA, AZ	330,000	---	330,000	---
	WILLCOX, AZ	---	---	100,000	---
	ARKANSAS				
(FDP)	ARCHEY FORK, CLINTON, AR	200,000	---	200,000	---
(FDP)	ARKANSAS RIVER WETLANDS AND FLOOD CONTROL, AR	200,000	---	200,000	---
(FDP)	CENTRAL ARKANSAS STUDY, AR	200,000	---	200,000	---
(FDP)	LITTLE RIVER COUNTY, AR	237,000	---	237,000	---
(FDP)	OUACHITA RIVER BASIN, HOT SPRINGS, AR	850,000	---	850,000	---
(N)	WHITE RIVER AND TRIBUTARIES, AR & MO	123,000	---	623,000	---
(FDP)	RED RIVER BANK STAB., INDEX, AR TO DENISON DAM, TX	---	---	400,000	---
	CALIFORNIA				
(FC)	AMERICAN AND SACRAMENTO RIVERS, CA	---	5,000,000	---	5,000,000
(FDP)	CALLEGUAS CREEK, CA	320,000	---	320,000	---
(FC)	CARNEROS CREEK, CA	---	670,000	---	670,000
	CITY OF OCEANSIDE SHORELINE, CA	---	---	100,000	---
(SPE)	COAST OF CA, SOUTH COAST REGION (ORANGE COUNTY)	250,000	---	250,000	---
(FC)	COYOTE AND BERRYESSA CREEKS, CA	---	866,000	---	866,000
(N)	HUMBOLDT HARBOR AND BAY, CA	255,000	---	255,000	---
(FC)	KAWEAH RIVER, CA	---	500,000	---	---
	LACDA WATER CONSERVATION AND SUPPLY, CA	---	---	200,000	---
(N)	LOS ANGELES - LONG BEACH HARBORS, CA	---	1,600,000	---	900,000

CORPS OF ENGINEERS - GENERAL INVESTIGATIONS

TYPE OF PROJECT	PROJECT TITLE	BUDGET ESTIMATES INVESTIGATIONS	BUDGET ESTIMATES PLANNING	CONFERENCE ALLOWANCE INVESTIGATIONS	CONFERENCE ALLOWANCE PLANNING
(FC)	LOS ANGELES COUNTY DRAINAGE AREA, CA	---	3,100,000	---	3,100,000
	LOS ANGELES COUNTY SHORELINE, PT MUGU TO SAN PEDRO, CA	---	---	175,000	---
	LOS ANGELES RIVER WATERCOURSE IMPROVEMENT, CA	---	---	300,000	---
(FC)	LOWER MISSION CREEK, CA	---	180,000	---	180,000
(FDP)	MARIN COUNTY SHORELINE, SAN CLEMENTE CREEK, CA	390,000	---	390,000	---
(SP)	MISSION BAY, SAN DIEGO COUNTY, CA	200,000	---	200,000	---
(FDP)	MISSION ZANJA CREEK, CA	300,000	---	300,000	---
(N)	MORRO BAY HARBOR, CA	---	420,000	---	420,000
(FC)	NAPA RIVER, CA	---	400,000	---	400,000
(N)	NEWPORT BAY HARBOR, CA	150,000	---	150,000	---
	NORCO BLUFFS, SANTA ANA RIVER, CA	---	---	200,000	---
(FDP)	NORTHERN CALIFORNIA STREAMS, CACHE CREEK BASIN, CA	200,000	---	200,000	---
	NORTHERN CALIFORNIA STREAMS, MORRISON CREEK STREAM GRO	---	---	600,000	---
(FDP)	NORTHERN CALIFORNIA STREAMS, YOLO BYPASS, CA	180,000	---	---	---
	NORTHERN CALIFORNIA STREAMS, WESTSIDE TRIBS TO YOLO BY	---	---	600,000	---
(FDP)	NORTHERN CALIFORNIA STREAMS, YUBA RIVER BASIN, CA	250,000	---	250,000	---
(N)	NOYO RIVER & HARBOR, CA	---	970,000	---	970,000
(SP)	PACIFIC COASTLINE, CARLSBAD, CA	350,000	---	350,000	---
(FDP)	PAJARO RIVER, WATSONVILLE, CA	470,000	---	470,000	---
(N)	POINT ARENA, CA (BREAKWATER)	390,000	---	390,000	---
	PORT HUENEME, OXNARD, CA	---	---	200,000	---
	RANCHOS PALOS VERDES, CA	---	---	400,000	---
(SPE)	SACRAMENTO-SAN JOAQUIN DELTA, CA	500,000	---	500,000	---
	SAN DIEGO COUNTY WATER SUPPLY, CA	---	---	100,000	---
(SP)	SAN FRANCISCO COUNTY, OCEAN BEACH, CA	665,000	---	665,000	---
(N)	SAN FRANCISCO HARBOR, CA	290,000	---	290,000	---
(FDP)	SAN JOAQUIN RIVER BASIN, ARROYO PASAJERO CK, CA (FRESN	350,000	---	350,000	---
(FDP)	SAN JOAQUIN RIVER BASIN, CALIENTE CREEK STREAM GROUP,	230,000	---	230,000	---
(FDP)	SAN JOAQUIN RIVER BASIN, PINE FLAT DAM, F&WL RESTORATI	300,000	---	250,000	---
(FDP)	SAN JOAQUIN RIVER BASIN, SAN JOAQUIN R MAIN STEM & TRI	270,000	---	270,000	---
	SAN JOAQUIN RIVER BASIN, TULE RIVER, CA	---	---	---	200,000
(FDP)	SAN LORENZO RIVER, CA	133,000	---	133,000	---
(N)	SAN RAFAEL CANAL, CA	---	800,000	---	300,000
(N)	SANTA BARBARA HARBOR, CA	---	380,000	---	380,000
(N)	SANTA CRUZ HARBOR SHOALING, CA	300,000	---	300,000	---
(N)	SANTA MONICA BREAKWATER, CA	100,000	---	100,000	---
(FDP)	SEVEN OAKS AND PRADO DAMS WATER CONSERVATION, CA	100,000	---	100,000	---
(FDP)	UPPER GUADALUPE RIVER, CA	580,000	---	580,000	---
	UPPER SACRAMENTO RIVER HABITAT RESTORATION, CA	---	---	500,000	---
(FDP)	WALNUT CREEK BASIN, CA	80,000	---	80,000	---
(FDP)	WHITEWATER RIVER BASIN, CA	100,000	---	100,000	---
	COLORADO				
(FC)	ALAMOSA, CO	---	131,000	---	131,000
(FDP)	BOXELDER, SPRING, AND DRY CREEKS, FT. COLLINS, CO	55,000	---	55,000	---
(FDP)	DRY GULCH, DENVER, CO	180,000	---	180,000	---
(FDP)	RALSTON AND LEYDEN CREEKS, CO	44,000	---	44,000	---

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CORPS OF ENGINEERS - GENERAL INVESTIGATIONS

TYPE OF PROJECT	PROJECT TITLE	BUDGET ESTIMATES INVESTIGATIONS	BUDGET ESTIMATES PLANNING	CONFERENCE ALLOWANCE INVESTIGATIONS	CONFERENCE ALLOWANCE PLANNING
	CONNECTICUT				
(COM)	CONNECTICUT R BASIN-NATURAL VALLEY STORAGE, CT, MA, NH	340,000	---	340,000	---
	DELAWARE				
(N)	C&D CANAL-BALTIMORE HBR CONNECTING CHLS, DE & MD (DEEP	500,000	---	500,000	---
(SP)	DELAWARE BAY COASTLINE, DE & NJ	450,000	---	450,000	---
(SP)	DELAWARE COAST FROM CAPE HENLOPEN TO FENWICK ISLAND, D	500,000	---	500,000	---
	FLORIDA				
(SP)	BREVARD COUNTY, FL	78,000	---	78,000	---
(FDP)	COAST OF FLORIDA STUDY, FL	475,000	---	475,000	---
(SP)	DAYTONA BEACH SHORES, FL	100,000	---	100,000	---
(FDP)	HILLSBORO CANAL, FL	79,000	---	79,000	---
	JACKSONVILLE HARBOR, FL	---	---	150,000	---
(BE)	MARTIN COUNTY, FL	---	300,000	---	300,000
	MIAMI RIVER SEDIMENTS, FL	---	---	---	50,000
	MONROE COUNTY (SMATHERS BEACH), FL	---	---	---	500,000
	NAPLES SHORELINE, FL	---	---	100,000	---
(BE)	NASSAU COUNTY, FL	---	350,000	---	350,000
(N)	PALM VALLEY BRIDGE, FL	210,000	---	210,000	---
(BE)	PANAMA CITY BEACHES, FL	---	900,000	---	900,000
(N)	PANAMA CITY HARBOR, FL	---	440,000	---	440,000
(FDP)	PERDIDO KEY, FL	300,000	---	300,000	---
(N)	PONCE DE LEON INLET, FL	170,000	---	170,000	---
(FDP)	TAMPA BAY, FL (COASTAL AREAS)	200,000	---	200,000	---
(N)	TAMPA HARBOR, ALAFIA RIVER AND BIG BEND, FL	210,000	---	210,000	---
	GEORGIA				
(BE)	GLYNN COUNTY BEACHES, GA	---	100,000	---	---
(N)	LOWER SAVANNAH RIVER BASIN, GA & SC	75,000	---	225,000	---
(N)	SAVANNAH HARBOR COMPREHENSIVE, GA	---	616,000	---	616,000
	HAWAII				
	KAUMALAPAU HARBOR, HI	---	---	---	500,000
(N)	KIKIAOLA SMALL BOAT HARBOR, KAUAI, HI	---	180,000	---	---
(FDP)	WAILUPE STREAM FLOOD CONTROL STUDY, OAHU, HI	308,000	---	308,000	---

CORPS OF ENGINEERS - GENERAL INVESTIGATIONS

TYPE OF PROJECT	PROJECT TITLE	BUDGET ESTIMATES INVESTIGATIONS	BUDGET ESTIMATES PLANNING	CONFERENCE ALLOWANCE INVESTIGATIONS	CONFERENCE ALLOWANCE PLANNING
	ILLINOIS				
(FDP)	ALEXANDER AND PULASKI COUNTIES, IL	75,000	---	75,000	---
(FDP)	APPLE CREEK, IL	50,000	---	50,000	---
	CASINO BEACH, IL	---	---	---	110,000
(RDP)	CHICAGO RIVER, NORTH BRANCH (1946 MOD), IL	100,000	---	100,000	---
	CHICAGO SHORELINE, IL	---	---	---	600,000
(FDP)	DES PLAINES RIVER, IL	300,000	---	300,000	---
(RDP)	FREEPORT, IL	200,000	---	200,000	---
(FDP)	KASKASKIA RIVER BASIN, IL	195,000	---	195,000	---
	MCCOOK AND THORNTON RESERVOIRS, IL	---	---	---	3,500,000
	SOUTHEAST CHICAGO, IL	---	---	100,000	---
(RCP)	UPPER MISSISSIPPI & ILLINOIS NAV STUDY, IL, IA, MN, MO	2,490,000	---	2,490,000	---
(RDP)	WAUKEGAN HARBOR, IL	70,000	---	70,000	---
	INDIANA				
(FC)	FORT WAYNE METROPOLITAN AREA, IN	---	240,000	---	240,000
	INDIANA SHORELINE EROSION, IN	---	---	---	26,000
(FDP)	INDIANAPOLIS, MARION COUNTY SOUTH, IN	456,000	---	456,000	---
(FDP)	INDIANAPOLIS, WHITE RIVER BASIN, IN	350,000	---	350,000	---
	KOONTZ LAKE, IN	---	---	100,000	---
	LAKE GEORGE, HOBART, IN	---	---	---	260,000
	LITTLE CALUMET RIVER BASIN (CADY MARSH DITCH), IN	---	---	---	170,000
	ORANGE COUNTY (LOST RIVER), IN	---	---	200,000	---
(FDP)	WABASH RIVER BASIN COMPREHENSIVE, IN & IL (MIDDLE REAC	165,000	---	265,000	---
(N)	WHITE RIVER, INDIANAPOLIS CENTRAL WATERFRONT, IN	250,000	---	450,000	---
	IOWA				
(FC)	PERRY CREEK, IA	---	133,000	---	---
(FDP)	THURMAN TO HAMBURG, PUMPING FACILITIES, IA	14,000	---	14,000	---
(FC)	THURMAN TO HAMBURG, PUMPING FACILITIES, IA	---	40,000	---	---
	KANSAS				
(FC)	ARKANSAS CITY, KS	---	347,000	---	347,000
(MP)	KANOPOLIS LAKE, KS	---	---	250,000	---
(FDP)	MARYSVILLE, KS	103,000	---	103,000	---
(RCP)	SOLDIER CREEK DIVERSION UNIT, TOPEKA, KS	127,000	---	127,000	---
(FDP)	TURKEY CREEK BASIN, KS & MO	250,000	---	250,000	---
(FC)	WINFIELD, KS	---	350,000	---	350,000

CORPS OF ENGINEERS - GENERAL INVESTIGATIONS

TYPE OF PROJECT	PROJECT TITLE	BUDGET ESTIMATES INVESTIGATIONS	BUDGET ESTIMATES PLANNING	CONFERENCE ALLOWANCE INVESTIGATIONS	CONFERENCE ALLOWANCE PLANNING
	KENTUCKY				
	BEAVER CREEK BASIN, KY	---	---	---	300,000
	CUMBERLAND - TENNESSEE RIVERS, KY & TN	---	---	---	500,000
(FDP)	EAGLE CREEK, KENTUCKY RIVER, KY	100,000	---	100,000	---
	EAST FORK OF THE LITTLE SANDY RIVER, KY	---	---	200,000	---
	EASTERN KENTUCKY COMPREHENSIVE, KY	---	---	100,000	---
	GREEN AND BARREN RIVERS, KY	---	---	870,000	---
(FC)	HAZARD, KY	---	443,000	---	443,000
(N)	MCALPINE LOCKS AND DAM, IN & KY	---	1,900,000	---	1,900,000
(FDP)	METROPOLITAN LOUISVILLE, BEARGRASS CREEK, KY	534,000	---	534,000	---
(FDP)	METROPOLITAN LOUISVILLE, POND CREEK, KY	364,000	---	364,000	---
(FDP)	SALT RIVER BASIN, KY	350,000	---	350,000	---
(N)	UNIONTOWN LOCKS AND DAM, KY, IL & IN	1,000,000	---	1,000,000	---
(FDP)	WEST LIBERTY, KY	100,000	---	100,000	---
	LOUISIANA				
(FDP)	AMITE RIVER AND TRIBUTARIES, LA	550,000	---	550,000	---
(FDP)	BOSSIER PARISH, LA	200,000	---	200,000	---
(FC)	COMITE RIVER, LA	---	1,200,000	---	1,200,000
(FC)	EAST BATON ROUGE PARISH, LA	---	100,000	---	100,000
(N)	INTRACOASTAL WATERWAY LOCKS, LA	1,200,000	---	1,200,000	---
(FDP)	JEFFERSON - ORLEANS PARISHES, LA	800,000	---	800,000	---
(FDP)	LAKE CATAOUATCHE LEVEE, LA	400,000	---	400,000	---
	MISSISSIPPI RIVER GULF OUTLET (BANK EROSION), LA	---	---	240,000	---
(N)	PORT OF CAMERON, LA	200,000	---	200,000	---
(FC)	WEST BANK - EAST OF HARVEY CANAL, LA	---	1,600,000	---	1,600,000
	MAINE				
(FDP)	ST JOHN RIVER, ME	96,000	---	96,000	---
(N)	WELLS HARBOR, ME	60,000	---	60,000	---
	MARYLAND				
	OCEAN CITY, MD AND VACINITY	---	---	700,000	---
(FDP)	ANACOSTIA RIVER AND TRIBUTARIES, MD & DC	500,000	---	500,000	---
(N)	BALTIMORE HARBOR ANCHORAGES AND CHANNELS, MD	260,000	---	260,000	---
	BALTIMORE METROPOLITAN STREAMS AREA, MD	---	---	240,000	---
(FC)	JENNINGS RANDOLPH LAKE REALLOCATION, MD & WV	---	150,000	---	---
	MASSACHUSETTS				
(N)	BOSTON HARBOR, MA	---	560,000	---	560,000
(N)	HYANNIS HARBOR, MA	115,000	---	115,000	---
	MUDDY RIVER, MA	---	---	250,000	---
(FC)	SAUGUS RIVER AND TRIBUTARIES, MA	---	2,660,000	---	2,660,000

CORPS OF ENGINEERS - GENERAL INVESTIGATIONS

TYPE OF PROJECT	PROJECT TITLE	BUDGET ESTIMATES INVESTIGATIONS	BUDGET ESTIMATES PLANNING	CONFERENCE ALLOWANCE INVESTIGATIONS	CONFERENCE ALLOWANCE PLANNING
	MICHIGAN				
(RCP)	CLINTON RIVER SPILLWAY, MI	50,000	---	50,000	---
(FC)	ECORSE CREEK, MI	---	280,000	---	280,000
(N)	GRAND HAVEN HARBOR, MI	---	460,000	---	460,000
(N)	ST. JOSEPH HARBOR, MI	150,000	---	150,000	---
	MINNESOTA				
(FDP)	CROOKSTON, MN	230,000	---	230,000	---
(N)	GREAT LAKES CONNECTING CHNLS & HBRS, MN, MI & WI	---	230,000	---	230,000
(FC)	HOUSTON, MN	---	147,000	---	147,000
(FC)	MARSHALL, MN	---	182,000	---	182,000
	MISSISSIPPI				
(FDP)	EAST FORK BASIN FISH AND WILDLIFE RESTORATION, MS	100,000	---	100,000	---
(FDP)	JACKSON METROPOLITAN AREA, MS	463,000	---	463,000	---
(FDP)	PASCAGOULA RIVER BASIN, MS	100,000	---	100,000	---
	WOLF AND JORDAN RIVERS, MS	---	---	---	200,000
	MISSOURI				
(FC)	BLUE RIVER BASIN, KANSAS CITY, MO	---	50,000	---	50,000
(FDP)	CLEARWATER LAKE RESTUDY (SEC. 216), MO	---	---	110,000	---
(SPE)	JEFFERSON COUNTY, MO	50,000	---	50,000	---
	MISSISSIPPI RIVER, VICINITY OF ST LOUIS, MO	---	---	500,000	---
(RCP)	MISSOURI RIVER LEVEE SYSTEM, UNIT L-246, CUTOFF LAKE	131,000	---	131,000	---
(FDP)	ST. GENEVIEVE, MO	---	---	---	750,000
(N)	ST. LOUIS HARBOR, MO & IL	---	---	---	600,000
(FDP)	SWOPE PARK INDUSTRIAL AREA, KANSAS CITY, MO	175,000	---	175,000	---
	NEBRASKA				
(FDP)	ANTELOPE CREEK, LINCOLN, NE	106,000	---	106,000	---
(FDP)	BURT-WASHINGTON COUNTIES, NE	32,000	---	32,000	---
	LEWIS AND CLARK LAKE, NE AND LAKE SAKAKAWEA, ND	---	---	250,000	---
(FC)	WOOD RIVER, GRAND ISLAND, NE	---	300,000	---	300,000
	NEVADA				
(FDP)	LAS VEGAS WASH AND TRIBS (PITTMAN WASH), NV	280,000	---	280,000	---
(FDP)	LOWER TRUCKEE RIVER, NV	300,000	---	300,000	---
(FC)	TROPICANA AND FLAMINGO WASHES, NV	---	4,000,000	---	4,000,000
	WASHOE VALLEY, BATTLE MOUNTAIN, NV	---	---	400,000	---
(FDP)	WASHOE VALLEY, ELKO, NV	200,000	---	200,000	---

CORPS OF ENGINEERS - GENERAL INVESTIGATIONS

TYPE OF PROJECT	PROJECT TITLE	BUDGET ESTIMATES INVESTIGATIONS	BUDGET ESTIMATES PLANNING	CONFERENCE ALLOWANCE INVESTIGATIONS	CONFERENCE ALLOWANCE PLANNING
	NEW JERSEY				
(N)	ARTHUR KILL CHANNEL EXTENSION-CARTERET, NJ & NY.....	450,000	---	450,000	---
(SP)	BRIGANTINE INLET TO GREAT EGG HARBOR (NJ SHR PRT), NJ.	400,000	---	400,000	---
(N)	DELAWARE RIVER COMPREHENSIVE NAVIGATION STUDY, NJ, PA.	222,000	---	222,000	---
(N)	DELAWARE RIVER MAIN CHANNEL, NJ, PA & DE.....	---	2,000,000	---	2,000,000
	HACKENSACK RIVER BASIN, NJ.....	---	---	100,000	---
	LAKE LEFFERTS, MONMOUTH COUNTY, NJ.....	---	---	375,000	---
	LAKE MATAWAN, MONMOUTH COUNTY, NJ.....	---	---	375,000	---
(SP)	LOWER CAPE MAY MEADOWS (NJ SHR PRT), NJ.....	300,000	---	300,000	---
(FC)	LOWER SADDLE RIVER, NJ.....	---	1,000,000	---	1,000,000
(FDP)	MANASQUAN RIVER BASIN, NJ.....	300,000	---	300,000	---
(FC)	MOLLY ANN'S BROOK AT HALEDON, PROSPECT PARK AND PATERS	---	568,000	---	568,000
(N)	NEW YORK HBR & ADJACENT CHANNELS, CLAREMONT TERMINAL,.	---	300,000	---	500,000
(FC)	PASSAIC RIVER MAINSTEM, NJ.....	---	3,000,000	---	10,000,000
(SP)	RARITAN BAY AND SANDY HOOK BAY, NJ.....	500,000	---	500,000	---
(SP)	RARITAN BAY AND SANDY HOOK BAY (CLIFFWOOD BEACH), NJ..	---	---	---	700,000
(FC)	RARITAN RIVER BASIN, GREEN BROOK SUB-BASIN, NJ.....	---	---	---	3,500,000
(N)	SALEM RIVER, NJ.....	---	85,000	---	85,000
(SP)	TOWNSENDS INLET TO CAPE MAY INLET (NJ SHR PRT), NJ....	200,000	---	200,000	---
	NEW MEXICO				
(FDP)	ALBUQUERQUE ARROYOS, NM.....	200,000	---	200,000	---
(FDP)	ESPANOLA VALLEY, RIO GRANDE AND TRIBUTARIES, NM.....	250,000	---	250,000	---
(FDP)	LAS CRUCES, EL PASO AND VICINITY, NM.....	150,000	---	150,000	---
(FDP)	RIO RANCHO, RIO GRANDE AND TRIBUTARIES, NM.....	230,000	---	230,000	---
	NEW YORK				
	BUFFALO, NY.....	---	---	440,000	---
(SP)	LONG BEACH ISLAND, NY.....	220,000	---	220,000	---
	MARINE PARK (PLUMB BEACH), BROOKLYN, NY.....	---	---	450,000	---
(N)	NEW YORK HARBOR ANCHORAGE AREAS, NY.....	500,000	---	500,000	---
(SPE)	ONONDAGA LAKE, NY.....	150,000	---	150,000	850,000
	RARITAN BAY ANCHORAGE, NY & NJ.....	---	---	500,000	---
	ROCHESTER HARBOR (WAVE SURGE), NY.....	---	---	100,000	---

CORPS OF ENGINEERS - GENERAL INVESTIGATIONS

TYPE OF PROJECT	PROJECT TITLE	BUDGET ESTIMATES INVESTIGATIONS	BUDGET ESTIMATES PLANNING	CONFERENCE ALLOWANCE INVESTIGATIONS	CONFERENCE ALLOWANCE PLANNING
	NORTH CAROLINA				
(FC)	BRUNSWICK COUNTY BEACHES, NC-OCEAN ISLE BEACH PORTION.	---	200,000	---	200,000
(N)	CAPE FEAR-NORTHEAST (CAPE FEAR) RIVER, NC.....	585,000	---	585,000	---
(SP)	DARE COUNTY BEACHES, NC.....	180,000	---	180,000	---
(BE)	FORT FISHER AND VICINITY, NC.....	---	296,000	---	296,000
	MANTEO (SHALLOWBAG) BAY, NC.....	---	---	---	600,000
(FC)	SUGAR CREEK BASIN, NC & SC.....	---	300,000	---	300,000
(BE)	WEST ONSLOW BEACH & NEW RIVER INLET, NC.....	---	304,000	---	304,000
(N)	WILMINGTON HARBOR OCEAN BAR, NC.....	---	400,000	---	800,000
(N)	WILMINGTON HARBOR, CHANNEL WIDENING, NC.....	---	600,000	---	---
	NORTH DAKOTA				
(FDP)	DEVILS LAKE, ND.....	---	---	300,000	---
(FDP)	GRAND FORKS, ND.....	200,000	---	200,000	---
	OHIO				
(FDP)	BELMONT AND JEFFERSON COUNTIES, OH.....	100,000	---	100,000	---
	BELMONT AND JEFFERSON COUNTIES (ACID MINE DRAINAGE), O	---	---	250,000	---
(FDP)	CLINTON COUNTY, CAESAR CREEK LAKE, WATER SUPPLY, OH...	250,000	---	250,000	---
(N)	CUYAHOGA RIVER, OH.....	50,000	---	50,000	---
(FDP)	DAYTON, OH - MIAMI RIVER BASIN.....	300,000	---	300,000	---
	GREAT LAKES SHORELINE, GENEVA STATE PARK, OH.....	---	---	250,000	---
(FC)	HOLES CREEK AT WEST CARROLLTON, OH.....	---	144,000	---	144,000
(FC)	METROPOLITAN REGION OF CINCINNATI, DUCK CREEK, OH, KY.	---	570,000	---	---
(FC)	WEST COLUMBUS LPP, OH.....	---	2,000,000	---	---
	OKLAHOMA				
	WISTER LAKE, OK.....	---	---	250,000	---
	OREGON				
(FDP)	AMAZON CREEK WETLANDS, OR.....	167,000	---	167,000	---
(N)	COLUMBIA RIVER NAVIGATION CHANNEL DEEPENING, OR & WA..	800,000	---	800,000	---
(MP)	COLUMBIA RIVER TREATY FISHING ACCESS SITES, OR & WA...	---	294,000	---	294,000
(FDP)	COLUMBIA SLOUGH, OR.....	190,000	---	190,000	---
(N)	COOS BAY, OR (DEEP DRAFT NAVIGATION).....	---	800,000	---	800,000
(FDP)	JOHNSON CREEK, OR.....	200,000	---	200,000	---
(FDP)	WILLAMETTE RIVER BASIN REVIEW, OR.....	500,000	---	500,000	---
(FDP)	WILLAMETTE RIVER TEMPERATURE CONTROL, OR.....	542,000	---	542,000	---

CORPS OF ENGINEERS - GENERAL INVESTIGATIONS

TYPE OF PROJECT	PROJECT TITLE	BUDGET ESTIMATES INVESTIGATIONS	BUDGET ESTIMATES PLANNING	CONFERENCE ALLOWANCE INVESTIGATIONS	CONFERENCE ALLOWANCE PLANNING
	PENNSYLVANIA				
(FC)	CHARTIERS CREEK, PA	---	250,000	---	---
	CONEMAUGH RIVER BASIN, PA	---	---	500,000	---
(FC)	CURWENSVILLE LAKE, PA - REALLOCATION	---	400,000	---	400,000
(FC)	LACKAWANNA RIVER, PA	---	850,000	---	850,000
(FDP)	LEHIGH RIVER BASIN, PA	450,000	---	450,000	---
(N)	LOCKS AND DAM 2, 3 AND 4, MONONGAHELA RIVER, PA	---	1,900,000	---	4,100,000
	PORT OF PITTSBURGH, PA	---	---	300,000	---
(FC)	RAYSTOWN LAKE, PA - REALLOCATION	---	400,000	---	---
(FDP)	SAW MILL RUN BASIN, PA	30,000	---	30,000	---
(FC)	SAW MILL RUN, PA	---	300,000	---	300,000
(FDP)	SCHUYLKILL RIVER BASIN, READING AREA, PA	250,000	---	250,000	---
(SPE)	SUSQUEHANNA RIVER BASIN FISH RESTORATION, PA, NY, & MD	150,000	---	150,000	---
(FC)	WYOMING VALLEY LEVEE RAISING, PA	---	700,000	---	1,675,000
	PUERTO RICO				
(FC)	ARECIBO RIVER, PR	---	400,000	---	---
(N)	GUAYANES, LAS MAREAS AND GUAYANILLA HARBORS, PR	110,000	---	110,000	---
(FC)	RIO DE LA PLATA, PR	---	984,000	---	984,000
(FC)	RIO GRANDE DE LOIZA, PR	---	850,000	---	850,000
(FDP)	RIO GUANAJIBO, PR	229,000	---	229,000	---
(FDP)	RIO NIGUA AT SALINAS, PR	107,000	---	107,000	---
(FC)	RIO PUERTO NUEVO, PR	---	250,000	---	250,000
(N)	SAN JUAN HARBOR, PR	---	324,000	---	324,000
	RHODE ISLAND				
(N)	BLOCK ISLAND HARBOR, RI	60,000	---	60,000	---
	SOUTH CAROLINA				
(N)	CHARLESTON HARBOR, SC (DEEPENING/WIDENING)	300,000	---	300,000	---
(BE)	MYRTLE BEACH, SC	---	531,000	---	531,000
	POCOTALIGO RIVER AND SWAMP, SC	---	---	400,000	---
(SP)	SOUTH CAROLINA SHORES, NORTH PORTION, SC	390,000	---	390,000	---
	SOUTH DAKOTA				
(FDP)	ABERDEEN AND VICINITY, SD	19,000	---	19,000	---
(SPE)	BIG BEND DAM - LAKE SHARPE, SD	45,000	---	45,000	---
(FC)	BIG SIOUX RIVER, SIOUX FALLS, SD	---	400,000	---	400,000
(SPE)	JAMES RIVER ENVIRONMENTAL, SD	200,000	---	200,000	---
(SPE)	OAHE DAM - LAKE OAHE (WILDLIFE RESTORATION), SD	120,000	---	120,000	---
(FDP)	VERMILLION RIVER BASIN, SD	117,000	---	117,000	---
(FC)	WATERTOWN AND VICINITY, SD	---	175,000	---	175,000

CORPS OF ENGINEERS - GENERAL INVESTIGATIONS

TYPE OF PROJECT	PROJECT TITLE	BUDGET ESTIMATES INVESTIGATIONS	BUDGET ESTIMATES PLANNING	CONFERENCE ALLOWANCE INVESTIGATIONS	CONFERENCE ALLOWANCE PLANNING
	TENNESSEE				
	BLACK FOX/OAKLAND SPRINGS WETLANDS, MURFREESBORO, TN..	---	---	150,000	---
(FDP)	METROPOLITAN CHATTANOOGA-HAMILTON CO., TN.....	350,000	---	350,000	---
(FDP)	METROPOLITAN NASHVILLE, HARPETH RIVER, TN.....	300,000	---	300,000	---
	OLD HICKORY LAKE, TN.....	---	---	100,000	---
	TEXAS				
(FC)	ARROYO COLORADO, TX.....	---	170,000	---	170,000
(FC)	BRAYS BAYOU (HOUSTON), TX.....	---	1,000,000	---	1,000,000
	CORPUS CHRISTI SHIP CHANNEL (50' CHANNEL), TX.....	---	---	250,000	---
(FC)	CYPRESS CREEK, TX.....	---	1,250,000	---	1,250,000
(FC)	DALLAS FLOODWAY EXTENSION, TRINITY RIVER PROJECT, TX..	---	650,000	---	650,000
(RCP)	FERRELLS BRIDGE DAM-LAKE O' THE PINES, TX.....	50,000	---	50,000	---
(FC)	FIVE MILE CREEK, DALLAS, TX.....	---	103,000	---	103,000
(RCP)	GIWW-ARANSAS NATIONAL WILDLIFE REFUGE, TX.....	400,000	---	400,000	---
	GIWW-CORPUS CHRISTI TO PORT ISABEL, TX (SEC. 216).....	---	---	300,000	---
(N)	GIWW-SARGENT BEACH, TX.....	---	1,000,000	---	1,000,000
(FDP)	GRAHAM, TX (BRAZOS RIVER BASIN).....	250,000	---	250,000	---
(FC)	GREENS BAYOU (HOUSTON), TX.....	---	900,000	---	900,000
(N)	HOUSTON-GALVESTON NAVIGATION CHANNELS, TX.....	---	4,200,000	---	4,200,000
(FDP)	LOWER TRINITY RIVER BASIN, TX.....	300,000	---	300,000	---
(N)	MATAGORDA SHIP CHANNEL, TX.....	50,000	---	50,000	---
(FC)	MCGRATH CREEK, WICHITA FALLS, TX.....	---	309,000	---	309,000
(RDP)	PECAN BAYOU LAKE, TX.....	400,000	---	400,000	---
	RED RIVER WW, SHREVEPORT, LA TO DAINGERFIELD, TX.....	---	---	---	2,800,000
	SABINE NECHES WATERWAY, CHANNEL TO ORANGE, TX.....	---	---	300,000	---
(FC)	SHOAL CREEK, AUSTIN, TX.....	---	170,000	---	170,000
(FC)	SOUTH MAIN CHANNEL, TX.....	---	350,000	---	350,000
(FDP)	UPPER TRINITY RIVER BASIN, TX.....	850,000	---	850,000	---
	UTAH				
(FDP)	SEVIER RIVER AND TRIBUTARIES, UT.....	500,000	---	500,000	---
	VERMONT				
(FDP)	WINOOSKI RIVER AND TRIBUTARIES, ICE FLOW.....	---	---	250,000	---
	VIRGINIA				
(SPE)	JAMES RIVER BASIN F & WL RESTORATION, VA.....	400,000	---	400,000	---
(BE)	VIRGINIA BEACH, VA (HURRICANE PROTECTION).....	---	875,000	---	875,000

CORPS OF ENGINEERS - GENERAL INVESTIGATIONS

TYPE OF PROJECT	PROJECT TITLE	BUDGET ESTIMATES INVESTIGATIONS	BUDGET ESTIMATES PLANNING	CONFERENCE ALLOWANCE INVESTIGATIONS	CONFERENCE ALLOWANCE PLANNING
	WASHINGTON				
(FC)	CHEHALIS RIVER, SOUTH ABERDEEN, COSMOPOLIS, WA	---	900,000	---	900,000
(SPE)	CHIEF JOSEPH POOL RAISING, WA	200,000	---	200,000	---
(RCP)	HOWARD HANSON DAM, ADDITIONAL STORAGE, WA	324,000	---	324,000	---
(RCP)	LAKE WASHINGTON SHIP CANAL, WA	277,000	---	277,000	---
(FDP)	NOOKSACK RIVER, WA	153,000	---	153,000	---
(FDP)	SKAGIT RIVER, WA	138,000	---	138,000	---
	WALLA WALLA DISTRICT DISPOSITION STUDY, WA	---	---	250,000	---
(FDP)	WALLA WALLA RIVER BASIN, WA & OR	235,000	---	235,000	---
	WEST VIRGINIA				
(FC)	ISLAND CREEK AT LOGAN, WV	---	304,000	---	304,000
(COM)	KANAWHA RIVER BASIN COMPREHENSIVE, WV (MARLINTON/GREEN	320,000	---	500,000	---
(N)	KANAWHA RIVER NAVIGATION, WV	1,050,000	---	1,050,000	---
(FC)	MOOREFIELD, WV	---	585,000	---	585,000
(SPE)	WEST VIRGINIA COMPREHENSIVE, WV	200,000	---	500,000	---
(N)	WEST VIRGINIA PORT DEVELOPMENT, WV	---	---	500,000	---
	WISCONSIN				
(RCP)	FOX RIVER, WI	125,000	---	125,000	---
(FDP)	MILWAUKEE METROPOLITAN AREA, WI	400,000	---	400,000	---
(FC)	PORTAGE, WI	---	375,000	---	375,000
	WYOMING				
(FDP)	JACKSON HOLE RESTORATION, WY	105,000	---	105,000	---

CORPS OF ENGINEERS - GENERAL INVESTIGATIONS

TYPE OF PROJECT	PROJECT TITLE	BUDGET ESTIMATES INVESTIGATIONS	BUDGET ESTIMATES PLANNING	CONFERENCE ALLOWANCE INVESTIGATIONS	CONFERENCE ALLOWANCE PLANNING
	REVIEW OF AUTHORIZED PROJECTS				
	COORDINATION STUDIES WITH OTHER AGENCIES	8,530,000	---	8,530,000	---
	COLLECTION AND STUDY OF BASIC DATA				
	MISCELLANEOUS				
	CLIMATE CHANGE RESEARCH PROGRAM	600,000	---	400,000	---
	COASTAL FIELD DATA COLLECTION	3,400,000	---	3,000,000	---
	CONSTRUCTION PRODUCTIVITY ADVANCEMENT RESEARCH (CPAR)	6,000,000	---	4,500,000	---
	DEVELOPMENT OF A FEDERAL INFRASTRUCTURE STRATEGY	1,786,000	---	1,786,000	---
	EARTHQUAKE ENGINEERING RESEARCH PROGRAM	500,000	---	---	---
	ENVIRONMENTAL DATA STUDIES	150,000	---	150,000	---
	ENVIRONMENTAL SERVICE PARTNERSHIPS	1,500,000	---	1,000,000	---
	FLOOD PLAIN MANAGEMENT SERVICES	7,400,000	---	7,100,000	---
	HYDROLOGIC STUDIES	440,000	---	300,000	---
	INTERNATIONAL WATER STUDIES	1,000,000	---	700,000	---
	MAGNETICALLY-LEVITATED TRANSPORTATION RESEARCH PROGRAM	13,000,000	---	2,800,000	---
	NATIONAL WATER MANAGEMENT DURING DROUGHT	1,404,000	---	1,404,000	---
	PRECIPITATION STUDIES (NATIONAL WEATHER SERVICE)	500,000	---	450,000	---
	REMOTE SENSING/GEOGRAPHIC INFORMATION SYSTEM SUPPORT	200,000	---	150,000	---
	SCIENTIFIC AND TECHNICAL INFORMATION CENTERS	200,000	---	130,000	---
	STREAM GAGING (U.S. GEOLOGICAL SURVEY)	650,000	---	600,000	---
	TRANSPORTATION SYSTEMS	1,200,000	---	800,000	---
	VALUATION OF ENVIRONMENTAL INVESTMENTS PROGRAM	2,000,000	---	---	---
	TOTAL	41,930,000	---	25,270,000	---
	RESEARCH AND DEVELOPMENT	23,500,000	---	22,000,000	---
	SUBTOTAL, GENERAL INVESTIGATIONS	123,747,000	69,517,000	122,712,000	90,285,000
	REDUCTION FOR ANTICIPATED SAVINGS AND SLIPPAGE	-23,519,000	---	-37,217,000	---
	TOTAL, GENERAL INVESTIGATIONS	100,228,000	69,517,000	85,495,000	90,285,000

TYPE OF PROJECT:
- (N) NAVIGATION
- (BE) BEACH EROSION CONTROL
- (FC) FLOOD CONTROL
- (MP) MULTIPURPOSE, INCLUDING POWER
- (SP) SHORELINE PROTECTION
- (FDP) FLOOD DAMAGE PREVENTION
- (RCP) REVIEW OF COMPLETED PROJECT
- (RDP) REVIEW OF DEFERRED PROJECT
- (COMP) COMPREHENSIVE
- (SPEC) SPECIAL

CORPS OF ENGINEERS - CONSTRUCTION, GENERAL

TYPE OF PROJECT	PROJECT TITLE	BUDGET ESTIMATE	CONFERENCE ALLOWANCE
	ALABAMA		
(N)	BAYOU LA BATRE, AL	1,600,000	1,600,000
(N)	BLACK WARRIOR AND TOMBIGBEE RIVERS, VICINITY OF JACKSO	300,000	300,000
(N)	TENNESSEE-TOMBIGBEE WATERWAY WILDLIFE MITIGATION, AL &	10,000,000	10,000,000
(FC)	VILLAGE CREEK, JEFFERSON COUNTY, AL	7,200,000	7,200,000
(N)	WILLIAM BACON OLIVER LOCK AND DAM, AL	2,324,000	2,324,000
	ALASKA		
	BETHEL, AK	---	2,000,000
(N)	KODIAK HARBOR, AK	350,000	350,000
	ST. GEORGE HARBOR, AK	---	3,000,000
	ARIZONA		
(FC)	CLIFTON, AZ	3,300,000	3,300,000
(FC)	HOLBROOK, AZ	1,000,000	1,000,000
(FC)	PHOENIX ARIZONA AND VICINITY, AZ (STAGE 2)	9,942,000	9,942,000
	ARKANSAS		
(MP)	BEAVER LAKE, AR (DAM SAFETY)	---	7,653,000
(MP)	BEAVER LAKE, AR (WATER QUALITY ENHANCEMENT)	1,000,000	1,750,000
(MP)	DARDANELLE L&D, (POWERHOUSE), AR (MAJOR REHAB)	1,150,000	1,150,000
(N)	MCCLELLAN-KERR AR RIVER NAV SYSTEM, LOCKS AND DAMS, AR	12,000,000	13,500,000
(N)	RED RIVER EMERGENCY BANK PROTECTION	---	3,500,000
	RED RIVER LEVEES AND BANK STABILIZATION BELOW DENISON DAM, AR	---	1,500,000
	CALIFORNIA		
(FC)	GUADALUPE RIVER, CA	10,000,000	10,000,000
(FC)	MARYSVILLE - YUBA CITY LEVEE RECONSTRUCTION, CA	800,000	800,000
(FC)	MERCED COUNTY STREAMS, CA	1,500,000	1,500,000
(FC)	NEW MELONES LAKE, CA	---	1,000,000
(N)	OAKLAND HARBOR, CA	3,200,000	3,200,000
(N)	OCEANSIDE HARBOR, CA	2,660,000	2,660,000
(FC)	REDBANK AND FANCHER CREEKS, CA	9,172,000	9,172,000
(N)	RICHMOND HARBOR, CA	1,330,000	1,330,000
(FC)	SACRAMENTO RIVER BANK PROTECTION PROJECT, CA	2,230,000	2,230,000
(N)	SACRAMENTO RIVER DEEPWATER SHIP CHANNEL, CA	3,500,000	100,000
(FC)	SACRAMENTO RIVER FLOOD CONTROL PROJECT, CA (DEF CORR)	2,250,000	2,250,000
	SACRAMENTO RIVER FLOOD CONTROL PROJECT (GCID), CA	---	500,000
(N)	SAN FRANCISCO BAY TO STOCKTON, CA	1,250,000	1,250,000
(FC)	SAN LUIS REY RIVER, CA	16,200,000	16,200,000
(FC)	SANTA ANA RIVER MAINSTEM, CA	90,800,000	90,800,000
(FC)	SANTA PAULA CREEK CHANNEL, CA	1,000,000	1,000,000
(FC)	SWEETWATER RIVER, CA	1,121,000	1,121,000
	VENTURA HARBOR, CA	---	500,000

CORPS OF ENGINEERS - CONSTRUCTION, GENERAL

TYPE OF PROJECT	PROJECT TITLE	BUDGET ESTIMATE	CONFERENCE ALLOWANCE
(FC)	WILDCAT AND SAN PABLO CREEKS, CA	2,000,000	2,000,000
(FC)	YOLO BASIN WETLANDS, SACRAMENTO RIVER, CA	1,400,000	1,400,000
	DELAWARE		
(FC)	DELAWARE COAST PROTECTION, DE	175,000	175,000
	FLORIDA		
(N)	CANAVERAL HARBOR DEEPENING, FL	2,500,000	1,000,000
(FC)	CENTRAL AND SOUTHERN FLORIDA, FL	18,200,000	18,200,000
(FC)	DADE COUNTY, FL	2,900,000	2,900,000
(BE)	DUVAL COUNTY, FL	7,900,000	7,900,000
(FC)	FOUR RIVER BASINS, FL	200,000	200,000
	KISSIMMEE RIVER, FL	---	8,000,000
(BE)	MANATEE COUNTY, FL	3,648,000	3,648,000
(N)	MIAMI HARBOR CHANNEL, FL	12,500,000	12,500,000
(BE)	PALM BEACH ISLAND, FL (REIMBURSEMENT)	5,566,000	5,566,000
(BE)	PINELLAS COUNTY, FL	3,600,000	3,600,000
	GEORGIA		
(MP)	RICHARD B. RUSSELL DAM & LAKE, GA & SC	19,000,000	19,000,000
	HAWAII		
(FC)	ALENAIO STREAM, HAWAII, HI	3,382,000	3,382,000
(N)	KAWAIHAE SMALL BOAT HARBOR, HAWAII, HI	1,150,000	1,150,000
(N)	MAALAEA HARBOR, MAUI, HI	2,000,000	2,000,000
	ILLINOIS		
(FC)	ALTON TO GALE ORGANIZED LEVEE DISTRICT, IL & MO (DEF C	415,000	415,000
(FC)	EAST ST LOUIS, IL	6,900,000	6,900,000
(N)	ILLINOIS WATERWAY, 4 LOCKS, IL (MAJOR REHAB)	2,620,000	1,500,000
(FC)	LOVES PARK, IL	2,000,000	2,000,000
(N)	MELVIN PRICE LOCK AND DAM, IL & MO	9,700,000	9,700,000
(N)	MELVIN PRICE LOCK AND DAM, SECOND LOCK, IL & MO	37,848,000	37,848,000
(N)	MISSISSIPPI RIVER, LOCK & DAM 13, IL (MAJOR REHAB)	796,000	796,000
(N)	MISSISSIPPI RIVER, LOCK & DAM 15, IL (MAJOR REHAB)	3,658,000	2,500,000
	O'HARE RESERVOIR, IL	---	3,000,000
(N)	OLMSTED LOCKS AND DAM, IL & KY	60,000,000	60,000,000
(N)	UPPER MISS RIVER SYSTEM ENV MGMT PROG, IL, IA, MO, MN.	19,455,000	19,455,000
	INDIANA		
(FC)	EVANSVILLE, IN	800,000	800,000
(FC)	LITTLE CALUMET RIVER, IN	11,000,000	11,000,000

CORPS OF ENGINEERS - CONSTRUCTION, GENERAL

TYPE OF PROJECT	PROJECT TITLE	BUDGET ESTIMATE	CONFERENCE ALLOWANCE
	IOWA		
	DES MOINES RECREATIONAL RIVER AND GREENBELT, IA	---	2,500,000
(N)	MISSOURI RIVER F&WL MITIGATION, IA, NE, KS & MO	5,600,000	7,600,000
(FC)	MISSOURI RIVER LEVEE SYSTEM, IA, NE, KS, & MO	1,450,000	1,450,000
(FC)	PERRY CREEK, IA	---	1,000,000
(FC)	WEST DES MOINES DES MOINES, IA	800,000	800,000
	KANSAS		
(FC)	GREAT BEND, KS	3,809,000	3,809,000
(FC)	HALSTEAD, KS	3,659,000	3,659,000
	KENTUCKY		
(FDP)	FRANKFORT, SOUTH FRANKFORT, KY	---	500,000
	SALYERSVILLE, KY	---	400,000
(FC)	YATESVILLE LAKE, KY	514,000	514,000
	LOUISIANA		
(FC)	ALOHA-RIGOLETTE, LA	760,000	760,000
(FC)	LAKE PONTCHARTRAIN AND VICINITY, LA (HURRICANE PROTECT	11,607,000	19,307,000
(FC)	OUACHITA RIVER LEVEES, LA	---	4,400,000
(FC)	LAROSE TO GOLDEN MEADOW, LA (HURRICANE PROTECTION)	2,330,000	2,330,000
(N)	MISSISSIPPI RIVER - GULF OUTLET, LA	2,000,000	2,000,000
(N)	MISSISSIPPI RIVER SHIP CHANNEL, GULF TO BATON ROUGE, L	5,796,000	5,796,000
(FC)	NEW ORLEANS TO VENICE, LA (HURRICANE PROTECTION)	5,355,000	5,355,000
(N)	RED RIVER WATERWAY, MISSISSIPPI RIVER TO SHREVEPORT, L	35,000,000	130,000,000
(FC)	WESTWEGO TO HARVEY CANAL, LA (HURRICANE PROTECTION)	7,400,000	7,400,000
	MARYLAND		
	ANACOSTIA RIVER, MD	---	700,000
(BE)	ATLANTIC COAST OF MARYLAND, MD	5,000,000	5,000,000
	MASSACHUSETTS		
(FC)	TOWN BROOK, QUINCY AND BRAINTREE, MA	8,000,000	8,000,000
	MINNESOTA		
(FC)	BASSETT CREEK, MN	2,125,000	2,125,000
(FC)	CHASKA, MN	4,600,000	4,600,000
(N)	DULUTH-SUPERIOR CHANNEL EXTENSION, MN & WI	500,000	500,000
(FC)	ROCHESTER, MN	15,100,000	15,100,000
(FC)	ST PAUL, MN	4,200,000	4,200,000

CORPS OF ENGINEERS - CONSTRUCTION, GENERAL

TYPE OF PROJECT	PROJECT TITLE	BUDGET ESTIMATE	CONFERENCE ALLOWANCE
	MISSISSIPPI		
(N)	GULFPORT HARBOR, MS	10,000,000	10,000,000
	SOWASHEE CREEK, MERIDIAN, MS	---	1,000,000
(FC)	TOMBIGBEE RIVER AND TRIBUTARIES, MS & AL	5,000,000	5,000,000
	MISSOURI		
(FC)	BLUE RIVER CHANNEL, KANSAS CITY, MO	10,300,000	10,300,000
(FC)	BRUSH CREEK, KANSAS CITY, MO	4,100,000	4,100,000
(FC)	CAPE GIRARDEAU-JACKSON, MO	7,800,000	7,800,000
(MP)	HARRY S TRUMAN DAM AND RESERVOIR, MO	3,268,000	3,268,000
(FC)	MERAMEC RIVER BASIN, VALLEY PARK LEVEE, MO	3,100,000	3,100,000
(N)	MISS RIVER BTWN THE OHIO AND MO RIVERS (REG WORKS), MO	5,800,000	5,800,000
	NEBRASKA		
(FC)	MISSOURI NATIONAL RECREATIONAL RIVER, NE & SD	56,000	56,000
(FC)	PAPILLION CREEK AND TRIBUTARIES LAKES, NE	1,442,000	1,442,000
	NEW JERSEY		
(BE)	CAPE MAY INLET TO LOWER TOWNSHIP, NJ	1,665,000	1,665,000
(FC)	GREAT EGG HARBOR INLET AND PECK BEACH, NJ	14,342,000	14,342,000
	MOLLY ANN'S BROOK, NJ	---	1,000,000
(BE)	SANDY HOOK TO BARNEGAT INLET, NJ	18,000,000	18,000,000
	NEW MEXICO		
(FC)	ACEQUIAS IRRIGATION SYSTEM, NM	2,000,000	2,000,000
(FC)	ALAMOGORDO, NM	400,000	400,000
	COCHITI LAKE, NM	---	1,900,000
(FC)	MIDDLE RIO GRANDE FLOOD PROTECTION, BERNALILLO TO BELE	400,000	400,000
(FC)	RIO GRANDE FLOODWAY, SAN ACACIA TO BOSQUE DEL APACHE,	6,000,000	6,000,000
	NEW YORK		
(BE)	ATLANTIC COAST OF NYC, ROCKAWAY INLET TO NORTON POINT,	4,300,000	4,300,000
(BE)	FIRE ISLAND INLET - JONES INLET, NY	4,600,000	4,600,000
(N)	KILL VAN KULL AND NEWARK BAY CHANNEL, NY & NJ	36,000,000	36,000,000
(N)	NEW YORK HARBOR COLLECTION AND REMOVAL OF DRIFT, NY &	3,420,000	5,000,000
(FC)	NORTH ELLENVILLE, NY (DEF CORR)	2,110,000	2,110,000
(N)	SHINNECOCK INLET, NY	7,043,000	7,043,000

CORPS OF ENGINEERS - CONSTRUCTION, GENERAL

TYPE OF PROJECT	PROJECT TITLE	BUDGET ESTIMATE	CONFERENCE ALLOWANCE
	NORTH CAROLINA		
(N)	AIWW-REPLACEMENT OF FEDERAL HIGHWAY BRIDGES, NC	8,000,000	8,000,000
(FC)	B. EVERETT JORDAN DAM AND LAKE, NC	3,340,000	3,515,000
(FC)	CAROLINA BEACH AND VICINITY, NC	140,000	140,000
(FC)	FALLS LAKE, NC	7,200,000	7,530,000
(N)	MOREHEAD CITY HARBOR, NC	100,000	100,000
	NORTH DAKOTA		
(FC)	SHEYENNE RIVER, ND	1,768,000	1,768,000
(FC)	SOURIS RIVER BASIN, ND	13,078,000	13,078,000
	OHIO		
(FC)	MILL CREEK, OH	5,100,000	2,500,000
(FDP)	WEST COLUMBUS, OH	---	4,800,000
	OKLAHOMA		
(FC)	FRY CREEKS, BIXBY, OK	200,000	200,000
(FC)	MINGO CREEK, OK	16,000,000	16,000,000
	OREGON		
(N)	BONNEVILLE NAVIGATION LOCK, OR & WA	26,520,000	26,520,000
(MP)	BONNEVILLE POWERHOUSE, OR & WA (MAJOR REHAB)	8,000,000	5,000,000
(MP)	BONNEVILLE SECOND POWERHOUSE, OR & WA	3,200,000	3,200,000
(FC)	ELK CREEK LAKE, OR	200,000	2,500,000
	PENNSYLVANIA		
(N)	GRAYS LANDING, LOCK AND DAM 7, MONONGAHELA RIVER, PA	30,000,000	30,000,000
(FC)	LOCK HAVEN, PA	21,100,000	21,100,000
(N)	POINT MARION, LOCK AND DAM 8, MONONGAHELA RIVER, PA &	26,000,000	26,000,000
(BE)	PRESQUE ISLE PENINSULA, PA (PERMANENT)	1,901,000	1,901,000
(FC)	TURTLE CREEK, PA	1,600,000	1,600,000
	PUERTO RICO		
(FC)	PORTUGUES AND BUCANA RIVERS, PR	14,600,000	14,600,000
	RHODE ISLAND		
	CLIFF WALK, NEWPORT, RI	---	750,000
	SEEKONK RIVER, PROVIDENCE, RI	---	250,000

CORPS OF ENGINEERS - CONSTRUCTION, GENERAL

TYPE OF PROJECT	PROJECT TITLE	BUDGET ESTIMATE	CONFERENCE ALLOWANCE
	SOUTH CAROLINA		
(N)	CHARLESTON HARBOR, SC	3,200,000	3,200,000
(BE)	FOLLY BEACH, SC	12,104,000	12,104,000
(MP)	RICHARD B. RUSSELL DAM & LAKE, WILDLIFE MITIGATION, SC	12,000,000	12,000,000
	TENNESSEE		
(MP)	CENTER HILL DAM, TN (DAM SAFETY)	1,700,000	1,700,000
	TEXAS		
(FC)	BEALS CREEK, BIG SPRING, TX	500,000	500,000
(N)	BRAZOS ISLAND HARBOR, TX	5,500,000	5,500,000
(N)	CHANNEL TO VICTORIA, TX	1,000,000	1,000,000
(FC)	CLEAR CREEK, TX	4,100,000	4,100,000
(FC)	COOPER LAKE AND CHANNELS, TX	11,100,000	11,100,000
(FC)	EL PASO, TX	7,300,000	7,300,000
(N)	FREEPORT HARBOR, TX	6,700,000	6,700,000
	GREENS BAYOU BRIDGE, TX	---	450,000
(FC)	JOE POOL LAKE, TX	26,212,000	806,000
(FC)	LAKE WICHITA, HOLLIDAY CREEK AT WICHITA FALLS, TX	3,400,000	3,400,000
(N)	MOUTH OF COLORADO RIVER, TX	300,000	300,000
(FC)	RAY ROBERTS LAKE, TX	4,000,000	4,000,000
	RED RIVER BASIN CHLORIDE CONTROL, TX & OK	---	6,000,000
(MP)	SAM RAYBURN DAM AND RESERVOIR, TX (DAM SAFETY)	1,000,000	1,000,000
(FC)	SAN ANTONIO CHANNEL IMPROVEMENT, TX	7,400,000	7,400,000
(FC)	SIMS BAYOU AT HOUSTON, TX	10,000,000	10,000,000
(FC)	TAYLORS BAYOU, TX	1,800,000	1,800,000
	WALLISVILLE LAKE, TX	---	500,000
	UTAH		
(FC)	LITTLE DELL LAKE, UT	3,341,000	3,341,000
	VERMONT		
(FC)	CONNECTICUT RIVER BASIN, TOWNSHEND & BALL MOUNTAIN DAM	429,000	429,000
	VIRGINIA		
(FDP)	BUENA VISTA, VA	---	1,300,000
(N)	NORFOLK HARBOR AND CHANNELS, VA	600,000	600,000
(FC)	RICHMOND, VA	18,028,000	18,028,000
(FC)	ROANOKE RIVER UPPER BASIN, HEADWATERS AREA, VA	5,100,000	5,100,000
(BE)	VIRGINIA BEACH, VA (REIMBURSEMENT)	850,000	850,000

CORPS OF ENGINEERS - CONSTRUCTION, GENERAL

TYPE OF PROJECT	PROJECT TITLE	BUDGET ESTIMATE	CONFERENCE ALLOWANCE
	WASHINGTON		
(FDP)	CHEHALIS RIVER, SOUTH ABERDEEN, WA	---	500,000
(MP)	CHIEF JOSEPH ADDITIONAL UNITS, WA	2,100,000	2,100,000
(MP)	COLUMBIA RIVER JUVENILE FISH MITIGATION, WA, OR & ID	45,100,000	47,100,000
(N)	GRAYS HARBOR, WA	9,300,000	9,300,000
	LACONNER, WA	---	870,000
(MP)	LOWER SNAKE RIVER FISH & WILDLIFE COMPENSATION, WA, OR	11,500,000	11,500,000
(FC)	MUD MOUNTAIN DAM, WA (DAM SAFETY)	14,500,000	14,500,000
	WEST VIRGINIA		
(N)	GALLIPOLIS LOCKS AND DAM, WV & OH	25,000,000	25,000,000
(FC)	LEVISA AND TUG FORKS AND UPPER CUMBERLAND RIVER, WV, V	44,500,000	69,375,000
(FC)	PETERSBURG, WV	900,000	900,000
(N)	WINFIELD LOCK AND DAM, WV	38,500,000	38,500,000
	WISCONSIN		
(FC)	STATE ROAD AND EBNER COULEES, WI	3,948,000	3,948,000
	MISCELLANEOUS		
	AQUATIC PLANT CONTROL (1965 ACT)	9,000,000	9,000,000
	BEACH EROSION CONTROL PROJECTS (SECTION 103)	1,500,000	1,500,000
	CLEARING AND SNAGGING (SECTION 208)	500,000	500,000
	EMERGENCY STREAMBANK & SHORELINE PROTECTION (SEC. 14)	6,500,000	10,000,000
	EMPLOYEES' COMPENSATION	19,296,000	19,296,000
	FLOOD CONTROL PROJECTS (SECTION 205)	23,000,000	20,000,000
	INLAND WATERWAYS USERS BOARD - BOARD EXPENSES	35,000	35,000
	INLAND WATERWAYS USERS BOARD - CORPS EXPENSES	165,000	65,000
	NAVIGATION MITIGATION (SECTION 111)	500,000	500,000
	NAVIGATION PROJECTS (SECTION 107)	4,000,000	4,000,000
	PROJECT MODIFICATIONS FOR IMPROVEMENT OF THE ENVIRONME	10,000,000	7,500,000
	SECTION 933 1986 WRDA	1,000,000	1,000,000
	WETLAND AND AQUATIC HABITAT CREATION	5,000,000	---
	REDUCTION FOR ANTICIPATED SAVINGS AND SLIPPAGE	-96,310,000	-118,694,000
	TOTAL, CONSTRUCTION GENERAL	1,230,488,000	1,360,503,000

TYPE OF PROJECT:
(N) NAVIGATION
(BE) BEACH EROSION CONTROL
(FC) FLOOD CONTROL
(MP) MULTIPURPOSE, INCLUDING POWER

CORPS OF ENGINEERS - FLOOD CONTROL, MISSISSIPPI RIVER AND TRIBUTARIES

TYPE OF PROJECT	PROJECT TITLE	BUDGET ESTIMATE	CONFERENCE
	GENERAL INVESTIGATIONS		
	SURVEYS:		
	GENERAL STUDIES:		
(FDP)	ALEXANDRIA, LA.	400,000	400,000
	MORGANZA, LA TO GULF OF MEXICO	---	400,000
(FDP)	MISSISSIPPI DELTA, MS.	1,200,000	1,200,000
(FDP)	JACKSON AND TRENTON, TN.	510,000	510,000
	COLLECTION AND STUDY OF BASIC DATA	300,000	300,000
	PRECONSTRUCTION ENGINEERING AND DESIGN:		
(FC)	LOWER WHITE RIVER, BIG CREEK & TRIBUTARIES, AR.	280,000	280,000
(FC)	WHITEMAN'S CREEK, AR.	560,000	560,000
	EASTERN ARKANSAS REGION (COMPREHENSIVE STUDY), AR.	---	1,000,000
	SUBTOTAL, GENERAL INVESTIGATIONS	3,250,000	4,650,000
	CONSTRUCTION		
(FC)	CHANNEL IMPROVEMENT, AR, IL, KY, LA, MS, MO & TN.	93,000,000	93,000,000
(N)	HELENA HARBOR, PHILLIPS COUNTY, AR.	8,408,000	5,008,000
(FC)	MISSISSIPPI RIVER LEVEES, AR, IL, KY, LA, MS, MO & TN.	20,500,000	20,500,000
(FC)	ST FRANCIS BASIN, AR & MO, CONSOLIDATED.	9,600,000	9,600,000
(FC)	ATCHAFALAYA BASIN, FLOODWAY SYSTEM, LA.	8,700,000	8,700,000
(FC)	ATCHAFALAYA BASIN, LA.	27,000,000	27,000,000
(FC)	MISSISSIPPI & LOUISIANA ESTAURINE AREAS, MS & LA.	6,900,000	6,900,000
(FC)	MISSISSIPPI DELTA REGION, LA.	8,000,000	8,000,000
(FC)	TENSAS BASIN, RED RIVER BACKWATER, LA.	3,900,000	3,900,000
(FC)	HORN LAKE CREEK & TRIBUTARIES (INCL. COW PEN CREEK), M	681,000	681,000
(FC)	SARDIS DAM, MS (DAM SAFETY).	3,100,000	3,100,000
	YAZOO BASIN, MS:	(42,789,000)	(43,739,000)
(FC)	BIG SUNFLOWER RIVER, MS.	4,800,000	5,750,000
(FC)	DEMONSTRATION EROSION CONTROL, MS.	23,000,000	23,000,000
(FC)	MAIN STEM, MS.	25,000	25,000
(FC)	REFORMULATION UNIT, MS.	1,200,000	1,200,000
(FC)	TRIBUTARIES, MS.	6,289,000	6,289,000
(FC)	UPPER YAZOO PROJECTS, MS.	6,800,000	6,800,000
(FC)	YAZOO BACKWATER F&WL MITIGATION LANDS, MS.	500,000	500,000
(FC)	YAZOO BACKWATER, MS.	175,000	175,000
(FC)	NONCONNAH CREEK, TN & MS.	3,450,000	3,450,000
(FC)	WEST TENNESSEE TRIBUTARIES, TN.	774,000	774,000
	SUBTOTAL, CONSTRUCTION	236,802,000	234,352,000
	MAINTENANCE		
(FC)	CHANNEL IMPROVEMENT, AR, IL, KY, LA, MS, MO & TN.	67,669,000	67,669,000
(FC)	LOWER ARKANSAS RIVER - NORTH BANK, AR.	128,000	128,000
(FC)	LOWER ARKANSAS RIVER - SOUTH BANK, AR.	173,000	173,000
(FC)	MISSISSIPPI RIVER LEVEES, AR, IL, KY, LA, MS, MO & TN.	7,308,000	7,308,000
(FC)	ST. FRANCIS RIVER BASIN, AR & MO.	9,711,000	11,111,000

CORPS OF ENGINEERS - FLOOD CONTROL, MISSISSIPPI RIVER AND TRIBUTARIES

TYPE OF PROJECT	PROJECT TITLE	BUDGET ESTIMATE	CONFERENCE
(FC)	TENSAS BASIN, BOEUF & TENSAS RIVERS, AR & LA	2,573,000	2,573,000
(FC)	WHITE RIVER BACKWATER, AR	786,000	786,000
(FC)	LAKE NO. 9 PUMPING PLANT, KY	140,000	140,000
(FC)	ATCHAFALAYA BASIN, LA	12,937,000	12,937,000
(FC)	BATON ROUGE HARBOR - DEVIL SWAMP, LA	230,000	230,000
(FC)	BAYOU COCODRIE & TRIBS, LA	115,000	115,000
(FC)	BONNET CARRE, LA	767,000	767,000
(FC)	LOWER RED RIVER - SOUTH BANK LEVEES, LA	67,000	67,000
(FC)	MISSISSIPPI DELTA REGION - CAERNARVON, LA	188,000	188,000
(FC)	OLD RIVER, LA	3,901,000	3,901,000
(FC)	TENSAS BASIN, RED RIVER BACKWATER, LA	2,545,000	2,545,000
(N)	GREENVILLE HARBOR, MS	238,000	238,000
(N)	VICKSBURG HARBOR, MS	195,000	195,000
	YAZOO BASIN, MS:	(14,420,000)	(27,720,000)
(FC)	ARKABUTLA LAKE, MS	2,415,000	3,515,000
(FC)	BIG SUNFLOWER, MS	343,000	2,343,000
(FC)	ENID LAKE, MS	2,521,000	4,721,000
(FC)	GREENWOOD, MS	604,000	604,000
(FC)	GRENADA LAKE, MS	2,834,000	4,834,000
(FC)	MAIN STEM, MS	884,000	3,384,000
(FC)	SARDIS LAKE, MS	2,753,000	4,753,000
(FC)	TRIBUTARIES, MS	1,001,000	2,501,000
(FC)	WILL M WHITTINGTON AUX CHAN, MS	386,000	386,000
(FC)	YAZOO BACKWATER, MS	306,000	306,000
(FC)	YAZOO CITY, MS	373,000	373,000
(FC)	WAPPAPELLO LAKE, MO	3,695,000	4,055,000
(N)	MEMPHIS HARBOR (MCKELLAR LAKE), TN	1,540,000	1,540,000
(FC)	INSPECTION OF COMPLETED WORKS	1,152,000	1,152,000
(FC)	MAPPING	884,000	884,000
	SUBTOTAL, MAINTENANCE	131,362,000	146,422,000
	REDUCTION FOR SAVINGS AND SLIPPAGE	-23,692,000	-34,242,000
	TOTAL, FLOOD CONTROL, MISSISSIPPI RIVER AND TRIBUTARIES	347,722,000	351,182,000

TYPE OF PROJECT:
(N) NAVIGATION
(FC) FLOOD CONTROL

CORPS OF ENGINEERS - OPERATION AND MAINTENANCE

TYPE OF PROJECT	PROJECT TITLE	BUDGET ESTIMATE	CONFERENCE
	ALABAMA		
(FC)	ALABAMA - COOSA RIVER COMPREHENSIVE WATER STUDY, AL...	1,000,000	3,000,000
(N)	ALABAMA - COOSA RIVER, AL.....	4,768,000	6,400,000
(N)	BLACK WARRIOR AND TOMBIGBEE RIVERS, AL.....	13,462,000	18,000,000
(N)	DAUPHIN ISLAND BAY, AL.....	447,000	447,000
(N)	GULF INTRACOASTAL WATERWAY, AL.....	2,981,000	3,600,000
(MP)	MILLERS FERRY LOCK & DAM - WILLIAM "BILL" DANNELLY LAK	3,411,000	3,411,000
(N)	MOBILE HARBOR, AL.....	14,446,000	16,800,000
(MP)	ROBERT F. HENRY LOCK AND DAM, AL.....	5,235,000	5,235,000
(N)	TENNESSEE-TOMBIGBEE WATERWAY, AL & MS.....	17,040,000	18,000,000
(MP)	WALTER F. GEORGE LOCK AND DAM, AL & GA.....	7,983,000	7,983,000
	ALASKA		
(N)	ANCHORAGE HARBOR, AK.....	1,750,000	1,750,000
(FC)	CHENA RIVER LAKES, AK.....	1,270,000	1,270,000
(N)	DILLINGHAM SMALL BOAT HARBOR, AK.....	515,000	515,000
(N)	HOMER SMALL BOAT HARBOR, AK.....	263,000	263,000
(N)	HUMBOLDT HARBOR, AK.....	251,000	251,000
(N)	NINILCHIK HARBOR, AK.....	175,000	175,000
(N)	NOME HARBOR, AK.....	544,000	544,000
(N)	OLD HARBOR, AK.....	429,000	429,000
(N)	WRANGELL HARBOR, AK.....	211,000	211,000
	ARIZONA		
(FC)	ALAMO DAM, AZ.....	894,000	894,000
(FC)	PAINTED ROCK DAM, AZ.....	922,000	922,000
(FC)	WHITLOW RANCH DAM, AZ.....	152,000	152,000
	ARKANSAS		
(MP)	BEAVER LAKE, AR.....	11,770,000	4,117,000
(MP)	BLAKELY MT DAM - LAKE OUACHITA, AR.....	3,273,000	3,273,000
(FC)	BLUE MOUNTAIN LAKE, AR.....	986,000	986,000
(MP)	BULL SHOALS LAKE, AR.....	4,938,000	4,938,000
(MP)	DARDANELLE LOCK AND DAM, AR.....	4,758,000	4,758,000
(MP)	DEGRAY LAKE, AR.....	3,498,000	3,498,000
(FC)	DEQUEEN LAKE, AR.....	1,003,000	1,003,000
(FC)	DIERKS LAKE, AR.....	1,030,000	1,030,000
(FC)	GILLHAM LAKE, AR.....	1,006,000	1,006,000
(MP)	GREERS FERRY LAKE, AR.....	4,631,000	4,631,000
(N)	HELENA HARBOR, AR.....	466,000	466,000
(N)	MCCLELLAN - KERR ARKANSAS RIVER NAVIGATION SYSTEM, AR.	24,891,000	24,891,000
(FC)	MILLWOOD LAKE, AR.....	2,307,000	2,307,000
(MP)	NARROWS DAM - LAKE GREESON, AR.....	3,168,000	3,168,000
(FC)	NIMROD LAKE, AR.....	1,468,000	1,468,000
(MP)	NORFORK LAKE, AR.....	3,473,000	3,473,000
(N)	OSCEOLA HARBOR, AR.....	584,000	584,000

CORPS OF ENGINEERS - OPERATION AND MAINTENANCE

TYPE OF PROJECT	PROJECT TITLE	BUDGET ESTIMATE	CONFERENCE
(N)	OUACHITA AND BLACK RIVERS, AR & LA	5,102,000	5,102,000
(MP)	OZARK-JETA TAYLOR LOCK AND DAM, AR	4,065,000	4,065,000
(N)	WHITE RIVER, AR	2,033,000	3,233,000
(N)	YELLOW BEND PORT, AR	3,000	3,000
	CALIFORNIA		
(FC)	BLACK BUTTE LAKE, CA	1,428,000	1,428,000
(FC)	BUCHANAN DAM - H.V. EASTMAN LAKE, CA	1,489,000	1,489,000
(N)	CHANNEL ISLANDS HARBOR, CA	2,496,000	2,496,000
(FC)	COYOTE VALLEY DAM, CA (LAKE MENDOCINO)	2,543,000	2,543,000
(N)	CRESCENT CITY HARBOR, CA	720,000	720,000
(FC)	DRY CREEK - WARM SPRINGS LAKE AND CHANNEL, CA	2,595,000	2,595,000
(FC)	FARMINGTON DAM, CA	144,000	144,000
(FC)	HIDDEN DAM - HENSLEY LAKE, CA	1,478,000	1,478,000
(N)	HUMBOLDT HARBOR AND BAY, CA	3,642,000	3,642,000
(FC)	ISABELLA LAKE, CA	705,000	705,000
(N)	LOS ANGELES - LONG BEACH HARBOR MODEL, CA	155,000	155,000
(N)	LOS ANGELES - LONG BEACH HARBORS, CA	395,000	2,395,000
(FC)	LOS ANGELES COUNTY DRAINAGE AREA, CA	2,674,000	4,959,000
	MARINA DEL RAY, CA	---	1,400,000
(FC)	MERCED COUNTY STREAMS, CA	160,000	160,000
(FC)	MOJAVE RIVER DAM, CA	246,000	246,000
(N)	MONTEREY HARBOR, CA	---	1,500,000
(N)	MORRO BAY HARBOR, CA	236,000	236,000
(N)	MOSS LANDING HARBOR, CA	803,000	803,000
(FC)	NEW HOGAN LAKE, CA	1,822,000	1,822,000
(MP)	NEW MELONES LAKE, CA	793,000	793,000
(N)	NOYO RIVER & HARBOR, CA	555,000	555,000
(N)	OAKLAND HARBOR, CA	2,799,000	2,799,000
(N)	OCEANSIDE EXPERIMENTAL SAND BYPASS SYSTEM, CA	628,000	628,000
(N)	OCEANSIDE HARBOR, CA	85,000	1,085,000
(FC)	PINE FLAT LAKE, CA	1,896,000	1,896,000
(N)	REDONDO BEACH (KING HARBOR), CA	40,000	40,000
(N)	REDWOOD CITY HARBOR, CA	3,499,000	3,499,000
(N)	RICHMOND HARBOR, CA	2,285,000	2,285,000
(N)	SACRAMENTO RIVER - SHALLOW DRAFT CHANNEL, CA	86,000	86,000
(N)	SACRAMENTO RIVER AND TRIBUTARIES, CA (DEBRIS CONTROL)	778,000	778,000
(N)	SACRAMENTO RIVER, CA (30 FOOT PROJECT)	2,050,000	2,050,000
(N)	SAN FRANCISCO BAY - DELTA MODEL STRUCTURE, CA	1,635,000	1,635,000
(N)	SAN FRANCISCO BAY LONG TERM MANAGEMENT STRATEGY, CA	1,778,000	1,778,000
(N)	SAN FRANCISCO HARBOR AND BAY, CA (DRIFT REMOVAL)	1,915,000	1,915,000
(N)	SAN FRANCISCO HARBOR, CA	1,915,000	1,915,000
(N)	SAN JOAQUIN RIVER, CA	1,341,000	1,341,000
(N)	SAN LEANDRO MARINA - JACK D. MALTESTER CHANNEL, CA	1,276,000	1,276,000
(N)	SAN PABLO BAY AND MARE ISLAND STRAIT, CA	2,446,000	2,446,000
(N)	SAN RAFAEL CREEK, CA	2,276,000	2,276,000
(FC)	SANTA ANA RIVER BASIN, CA	2,305,000	2,305,000
(N)	SANTA BARBARA HARBOR, CA	905,000	905,000
(FC)	SEPULVEDA DAM, CA	---	2,000,000

CORPS OF ENGINEERS - OPERATION AND MAINTENANCE

TYPE OF PROJECT	PROJECT TITLE	BUDGET ESTIMATE	CONFERENCE
(FC)	SUCCESS LAKE, CA	1,465,000	1,465,000
(N)	SUISUN BAY CHANNEL, CA	1,101,000	1,101,000
(FC)	TERMINUS DAM (LAKE KAWEAH), CA	1,324,000	1,324,000
(N)	VENTURA HARBOR, CA	1,106,000	1,106,000
(N)	YUBA RIVER, CA	28,000	28,000
	COLORADO		
(FC)	BEAR CREEK LAKE, CO	336,000	336,000
(FC)	CHATFIELD LAKE, CO	1,299,000	1,299,000
(FC)	CHERRY CREEK LAKE, CO	867,000	867,000
(FC)	JOHN MARTIN RESERVOIR, CO	1,502,000	1,502,000
(FC)	TRINIDAD LAKE, CO	640,000	640,000
	CONNECTICUT		
(FC)	BLACK ROCK LAKE, CT	246,000	246,000
(FC)	COLEBROOK RIVER LAKE, CT	439,000	439,000
(FC)	HANCOCK BROOK LAKE, CT	223,000	223,000
(FC)	HOP BROOK LAKE, CT	720,000	720,000
(FC)	MANSFIELD HOLLOW LAKE, CT	566,000	566,000
(FC)	NORTHFIELD BROOK LAKE, CT	270,000	270,000
(FC)	STAMFORD HURRICANE BARRIER, CT	265,000	265,000
(FC)	THOMASTON DAM, CT	369,000	369,000
(FC)	WEST THOMPSON LAKE, CT	464,000	464,000
	DELAWARE		
(N)	CHESAPEAKE AND DELAWARE CANAL, ST. GEORGES BRIDGE REPL	14,000,000	14,000,000
(N)	INTRACOASTAL WATERWAY, DE RIVER TO CHESAPEAKE BAY, DE.	11,069,000	11,069,000
(N)	INTRACOASTAL WATERWAY, REHOBOTH BAY TO DELAWARE BAY, D	434,000	434,000
(N)	MISPILLION RIVER, DE	961,000	961,000
(N)	MURDERKILL RIVER, DE	390,000	390,000
(N)	WILMINGTON HARBOR, DE	2,545,000	2,545,000
	DISTRICT OF COLUMBIA		
(N)	ANACOSTIA RIVER BASIN, DC	192,000	192,000
(N)	POTOMAC AND ANACOSTIA RIVERS (DRIFT REMOVAL), DC	636,000	636,000
(N)	POTOMAC RIVER BELOW WASHINGTON, DC	270,000	270,000
(N)	WASHINGTON HARBOR, DC	25,000	25,000
	FLORIDA		
(N)	AIWW, NORFOLK TO ST. JOHNS RIVER, FL, GA, SC, NC, & VA	326,000	326,000
(N)	APALACHICOLA BAY, FL	12,000	12,000
(N)	BLACKWATER RIVER, FL	347,000	347,000
(N)	CANAVERAL HARBOR, FL	2,206,000	2,206,000
(FC)	CENTRAL & SOUTHERN, FL	5,958,000	5,958,000
(N)	CHARLOTTE HARBOR, FL	70,000	70,000

CORPS OF ENGINEERS - OPERATION AND MAINTENANCE

TYPE OF PROJECT	PROJECT TITLE	BUDGET ESTIMATE	CONFERENCE
(N)	CLEARWATER PASS, FL	30,000	30,000
(N)	CROSS FLORIDA BARGE CANAL, FL	458,000	458,000
(N)	EAST PASS CHANNEL, FL	35,000	35,000
(N)	ESCAMBIA-CONECUH RIVERS, FL	7,000	7,000
(N)	FERNANDINA HARBOR, FL	753,000	753,000
(N)	FORT MYERS BEACH, FL	347,000	347,000
(N)	FORT PIERCE HARBOR, FL	488,000	488,000
(N)	HORSESHOE COVE, FL	30,000	30,000
(N)	INTRACOASTAL WATERWAY, CALOOSAHATCHEE R. TO ANCLOTE R.	132,000	132,000
(N)	INTRACOASTAL WATERWAY, JACKSONVILLE TO MIAMI, FL	2,937,000	2,937,000
(N)	JACKSONVILLE HARBOR, FL	2,756,000	2,756,000
(MP)	JIM WOODRUFF LOCK AND DAM, LAKE SEMINOLE, FL, AL & GA.	4,427,000	4,427,000
(N)	LA GRANGE BAYOU, FL	7,000	7,000
(N)	MIAMI HARBOR, FL	5,286,000	5,286,000
(N)	OKEECHOBEE WATERWAY, FL	2,575,000	2,575,000
(N)	OKLAWAHA RIVER, FL	81,000	81,000
(N)	PALM BEACH HARBOR, FL	1,007,000	1,007,000
(N)	PANACEA HARBOR, FL	7,000	7,000
(N)	PANAMA CITY HARBOR, FL	442,000	442,000
(N)	PONCE DE LEON INLET, FL	62,000	62,000
(N)	PORT ST. JOE HARBOR, FL	20,000	20,000
	REMOVAL OF AQUATIC GROWTH, FL	2,753,000	2,753,000
(N)	ST AUGUSTINE HARBOR, FL	125,000	125,000
(N)	ST MARKS RIVER, FL	7,000	7,000
(N)	ST. LUCIE INLET, FL	2,094,000	2,094,000
(N)	TAMPA HARBOR, FL	2,824,000	2,824,000
(N)	WITHLACOOCHIE RIVER, FL	735,000	735,000
	GEORGIA		
(MP)	ALLATOONA LAKE, GA	6,518,000	6,518,000
(N)	APALACHICOLA, CHATTAHOOCHEE AND FLINT RIVERS, GA, AL &	4,016,000	4,016,000
(N)	ATLANTIC INTRACOASTAL WATERWAY (SAVANNAH DISTRICT), GA	1,601,000	1,601,000
(N)	BRUNSWICK HARBOR, GA	2,894,000	2,894,000
(MP)	BUFORD DAM AND LAKE SIDNEY LANIER, GA	5,884,000	5,884,000
(MP)	CARTERS DAM AND LAKE, GA	3,063,000	3,063,000
(MP)	HARTWELL LAKE, GA & SC	7,450,000	7,450,000
(MP)	J. STROM THURMOND LAKE, GA & SC	7,648,000	7,648,000
(MP)	RICHARD B. RUSSELL DAM & LAKE, GA & SC	4,523,000	4,523,000
(N)	SAVANNAH HARBOR, GA	7,225,000	9,725,000
	SAVANAH HARBOR LONG TERM MNGT. STRATEGY, GA & SC	---	950,000
(N)	SAVANNAH RIVER BELOW AUGUSTA, GA	133,000	133,000
(MP)	WEST POINT DAM AND LAKE, GA & AL	5,513,000	5,513,000
	HAWAII		
(N)	BARBER'S POINT HARBOR, HI	73,000	73,000
(N)	HONOLULU HARBOR, HI	100,000	100,000
(N)	PORT ALLEN HARBOR, KAUAI	4,580,000	4,580,000

CORPS OF ENGINEERS - OPERATION AND MAINTENANCE

TYPE OF PROJECT	PROJECT TITLE	BUDGET ESTIMATE	CONFERENCE
	IDAHO		
(MP)	ALBENI FALLS DAM, ID	4,876,000	4,876,000
(MP)	DWORSHAK DAM AND RESERVOIR, ID	6,283,000	6,283,000
(FC)	LUCKY PEAK LAKE, ID	1,025,000	1,025,000
	ILLINOIS		
(N)	CALUMET HARBOR AND RIVER, IL & IN	1,159,000	1,159,000
(FC)	CARLYLE LAKE, IL	4,090,000	4,090,000
(N)	CHICAGO HARBOR, IL	2,306,000	2,306,000
(N)	CHICAGO RIVER, IL	419,000	419,000
(FC)	FARM CREEK RESERVOIRS, IL	306,000	306,000
(N)	ILLINOIS WATERWAY, IL & IN	16,437,000	16,437,000
(N)	ILLINOIS WATERWAY, IL (LMVD PORTION)	1,339,000	1,339,000
(N)	KASKASKIA RIVER NAVIGATION, IL	1,700,000	1,700,000
(N)	LAKE MICHIGAN DIVERSION, IL	529,000	529,000
(FC)	LAKE SHELBYVILLE, IL	4,319,000	4,319,000
(N)	MISS RIVER BTWN MISSOURI RIVER & MINN, IL, IA, MN, MO.	77,846,000	77,846,000
(N)	MISS RVR BTWN MO RIVER & MINNEAPOLIS, IL & MN (LMVD PO	9,104,000	9,104,000
	NORTH BRANCH CHICAGO RIVER, IL	---	150,000
(FC)	REND LAKE, IL	3,590,000	3,590,000
(N)	WAUKEGAN HARBOR, IL	1,205,000	1,205,000
	INDIANA		
(FC)	BEVERLY SHORES, IN	48,000	48,000
(FC)	BROOKVILLE LAKE, IN	627,000	627,000
(N)	BURNS WATERWAY HARBOR, IN	616,000	1,016,000
(N)	BURNS WATERWAY SMALL BOAT HARBOR, IN	150,000	150,000
(FC)	CAGLES MILL LAKE, IN	483,000	483,000
(FC)	CECIL M. HARDEN LAKE, IN	578,000	678,000
(FC)	HUNTINGTON LAKE, IN	570,000	570,000
(N)	INDIANA HARBOR, IN	401,000	401,000
(N)	MICHIGAN CITY HARBOR, IN	68,000	68,000
(FC)	MISSISSINEWA LAKE, IN	724,000	724,000
(FC)	MONROE LAKE, IN	585,000	585,000
(FC)	PATOKA LAKE, IN	524,000	524,000
(FC)	SALAMONIE LAKE, IN	566,000	566,000
	IOWA		
(FC)	CORALVILLE LAKE, IA	2,697,000	2,697,000
(N)	MISSOURI R, SIOUX CITY, IA TO THE MOUTH, IA, NE, KS &.	6,390,000	6,390,000
(FC)	MISSOURI RIVER - KENSLERS BEND, NE TO SIOUX CITY, IA..	60,000	60,000
(FC)	RATHBUN LAKE, IA	2,171,000	2,171,000
(FC)	RED ROCK DAM - LAKE RED ROCK, IA	2,769,000	2,769,000
(FC)	SAYLORVILLE LAKE, IA	4,256,000	4,256,000
(N)	SMALL NAVIGATION PROJECT AT SIOUX CITY, IA - SECTION 1	5,000	5,000

CORPS OF ENGINEERS - OPERATION AND MAINTENANCE

TYPE OF PROJECT	PROJECT TITLE	BUDGET ESTIMATE	CONFERENCE
	KANSAS		
(FC)	CLINTON LAKE, KS	1,540,000	1,540,000
(FC)	COUNCIL GROVE LAKE, KS	956,000	956,000
(FC)	EL DORADO LAKE, KS	585,000	585,000
(FC)	ELK CITY LAKE, KS	765,000	765,000
(FC)	FALL RIVER LAKE, KS	947,000	947,000
(FC)	HILLSDALE LAKE, KS	853,000	853,000
(FC)	JOHN REDMOND DAM AND RESERVOIR, KS	994,000	994,000
(FC)	KANOPOLIS LAKE, KS	1,149,000	1,149,000
(FC)	MARION RESERVOIR, KS	1,250,000	1,250,000
(FC)	MELVERN LAKE, KS	1,546,000	1,546,000
(FC)	MILFORD LAKE, KS	1,627,000	1,627,000
(FC)	PEARSON - SKUBITZ BIG HILL LAKE, KS	899,000	899,000
(FC)	PERRY LAKE, KS	1,684,000	1,684,000
(FC)	POMONA LAKE, KS	1,577,000	1,577,000
(FC)	TORONTO LAKE, KS	420,000	420,000
(FC)	TUTTLE CREEK LAKE, KS	1,391,000	1,391,000
(FC)	WILSON LAKE, KS	1,413,000	1,413,000
	KENTUCKY		
(MP)	BARKLEY DAM AND LAKE BARKLEY, KY	5,765,000	5,765,000
(FC)	BARREN RIVER LAKE, KY	1,239,000	1,239,000
(N)	BIG SANDY HARBOR, KY	995,000	995,000
(FC)	BUCKHORN LAKE, KY	837,000	837,000
(FC)	CARR FORK LAKE, KY	1,005,000	1,005,000
(FC)	CAVE RUN LAKE, KY	660,000	660,000
(FC)	DEWEY LAKE, KY	1,789,000	1,789,000
(N)	ELVIS STAHR (HICKMAN) HARBOR, KY	517,000	517,000
(FC)	FISHTRAP LAKE, KY	1,126,000	1,126,000
(FC)	GRAYSON LAKE, KY	837,000	837,000
(N)	GREEN AND BARREN RIVERS, KY	1,386,000	1,386,000
(FC)	GREEN RIVER LAKE, KY	1,338,000	1,338,000
(N)	KENTUCKY RIVER, KY	989,000	989,000
	KENTUCKY RIVER L/D 5-14, KY	---	5,000,000
(MP)	LAUREL RIVER LAKE, KY	1,174,000	1,174,000
(N)	LICKING RIVER OPEN CHANNEL WORK, KY	17,000	17,000
(FC)	MARTINS FORK LAKE, KY	581,000	581,000
(FC)	MIDDLESBORO, KY	38,000	38,000
(FC)	NOLIN LAKE, KY	1,452,000	1,452,000
(N)	OHIO RIVER LOCKS AND DAMS, KY, IL, IN, OH, PA & WV	19,510,000	19,510,000
(N)	OHIO RIVER OPEN CHANNEL WORK, KY, IL, IN, OH, PA & WV	3,462,000	3,462,000
(FC)	PAINTSVILLE LAKE, KY	771,000	771,000
(FC)	ROUGH RIVER LAKE, KY	1,276,000	1,276,000
(FC)	TAYLORSVILLE LAKE, KY	793,000	793,000
(MP)	WOLF CREEK DAM - LAKE CUMBERLAND, KY	5,024,000	5,024,000
(FC)	YATESVILLE LAKE KY	865,000	865,000

CORPS OF ENGINEERS - OPERATION AND MAINTENANCE

TYPE OF PROJECT	PROJECT TITLE	BUDGET ESTIMATE	CONFERENCE
	LOUISIANA		
(N)	ATCHAFALAYA RIVER AND BAYOUS CHENE, BOEUF AND BLACK, L	5,587,000	5,587,000
(N)	BARATARIA BAY WATERWAY, LA	135,000	135,000
(FC)	BAYOU BODCAU RESERVOIR, LA	402,000	402,000
(FC)	BAYOU PIERRE, LA	25,000	25,000
(N)	BAYOU TECHE, LA	239,000	239,000
(FC)	CADDO LAKE, LA	119,000	119,000
(N)	CALCASIEU RIVER AND PASS, LA	9,800,000	9,800,000
(N)	FRESHWATER BAYOU, LA	880,000	880,000
(N)	GULF INTRACOASTAL WATERWAY, LA	13,007,000	13,007,000
(N)	HOUMA NAVIGATION CHANNEL, LA	210,000	210,000
(N)	LAKE PROVIDENCE HARBOR, LA	285,000	285,000
(N)	MADISON PARISH PORT, LA	75,000	75,000
(N)	MERMENTAU RIVER, LA	690,000	690,000
(N)	MISSISSIPPI RIVER - BATON ROUGE TO GULF OF MEXICO, LA.	42,803,000	44,803,000
(N)	MISSISSIPPI RIVER - GULF OUTLET, LA	13,591,000	15,591,000
(N)	MISSISSIPPI RIVER, OUTLETS AT VENICE, LA	2,348,000	2,348,000
(N)	RED RIVER WATERWAY - MISSISSIPPI RIVER TO SHREVEPORT,	6,629,000	6,629,000
	REMOVAL OF AQUATIC GROWTH, LA	1,644,000	1,644,000
(FC)	WALLACE LAKE, LA	196,000	196,000
(N)	WATERWAY FROM INTRACOASTAL WATERWAY TO B DULAC, LA	20,000	20,000
	MAINE		
	NEW ENGLAND COASTAL DREDGED MATERIAL STUDY, ME & NH	---	500,000
	MARYLAND		
(N)	BALTIMORE HARBOR AND CHANNELS, MD & VA	12,852,000	12,852,000
(N)	BALTIMORE HARBOR, MD (DRIFT REMOVAL)	348,000	348,000
(N)	BALTIMORE HARBOR, MD (PREVENTION OF OBSTRUCTIVE DEPOSI	400,000	400,000
(N)	CHESTER RIVER, MD	70,000	70,000
(FC)	CUMBERLAND, MD AND RIDGELEY, WV	83,000	83,000
(N)	HONGA RIVER, TAR BAY, MD	70,000	70,000
(FC)	JENNINGS RANDOLPH LAKE, MD & WV	1,281,000	1,281,000
(N)	NANTICOKE AT NANTICOKE, MD	35,000	35,000
(N)	NORTHEAST RIVER, MD	60,000	60,000
(N)	RHODES POINT TO TYLERTON, MD	35,000	35,000
(N)	SLAUGHTER CREEK, MD	30,000	30,000
(N)	WICOMICO RIVER, MD	628,000	628,000
	MASSACHUSETTS		
(FC)	BARRE FALLS DAM, MA	403,000	403,000
(FC)	BIRCH HILL DAM, MA	489,000	489,000
(FC)	BUFFUMVILLE LAKE, MA	386,000	386,000
(N)	CAPE COD CANAL, MA	9,620,000	9,620,000
(FC)	CHARLES RIVER NATURAL VALLEY STORAGE AREAS, MA	182,000	182,000
(FC)	CONANT BROOK LAKE, MA	166,000	166,000

CORPS OF ENGINEERS - OPERATION AND MAINTENANCE

TYPE OF PROJECT	PROJECT TITLE	BUDGET ESTIMATE	CONFERENCE
(FC)	EAST BRIMFIELD LAKE, MA	401,000	401,000
(FC)	HODGES VILLAGE DAM, MA	400,000	400,000
(FC)	KNIGHTVILLE DAM, MA	667,000	667,000
(FC)	LITTLEVILLE LAKE, MA	430,000	430,000
(FC)	NEW BEDFORD, FAIRHAVEN AND ACUSHNET HURRICANE BARRIER,	186,000	186,000
(N)	NEWBURYPORT HARBOR, MA	482,000	482,000
(FC)	TULLY LAKE, MA	417,000	417,000
(FC)	WEST HILL DAM, MA	444,000	444,000
(FC)	WESTVILLE LAKE, MA	436,000	436,000
	MICHIGAN		
(N)	ALPENA HARBOR, MI	122,000	122,000
(N)	ARCADIA HARBOR, MI	53,000	53,000
(N)	BOLLES HARBOR, MI	61,000	61,000
(N)	CHANNELS IN LAKE ST. CLAIR, MI	170,000	170,000
(N)	CHARLEVOIX HARBOR, MI	246,000	246,000
(N)	CLINTON RIVER, MI	629,000	629,000
(N)	DETROIT RIVER, MI	5,074,000	5,074,000
	FLINT RIVER FLOOD CONTROL, MI	---	2,000,000
(N)	FRANKFORT HARBOR, MI	613,000	613,000
(N)	GRAND HAVEN HARBOR, MI	1,234,000	1,234,000
(N)	HARBOR BEACH HARBOR,MI	957,000	957,000
(N)	HARRISVILLE HARBOR, MI	174,000	174,000
(N)	HOLLAND HARBOR, MI	1,169,000	1,169,000
(N)	INLAND ROUTE, MI	223,000	223,000
(N)	KEWEENAW WATERWAY, MI	1,463,000	1,463,000
(N)	LAC LA BELLE, MI	80,000	80,000
(N)	LELAND HARBOR, MI	143,000	143,000
(N)	LITTLE LAKE HARBOR, MI	147,000	147,000
(N)	LUDINGTON HARBOR, MI	380,000	380,000
(N)	MANISTEE HARBOR, MI	673,000	673,000
(N)	MANISTIQUE HARBOR, MI	362,000	362,000
(N)	MARQUETTE HARBOR, MI	210,000	210,000
(N)	MENOMINEE HARBOR, MI & WI	82,000	82,000
(N)	MONROE HARBOR, MI	306,000	306,000
(N)	MUSKEGON HARBOR, MI	621,000	621,000
(N)	ONTONAGON HARBOR, MI	1,480,000	1,480,000
(N)	PENTWATER HARBOR, MI	168,000	168,000
(N)	POINT LOOKOUT HARBOR, MI	170,000	170,000
(N)	PORT AUSTIN HBR, MI	305,000	305,000
(N)	PORTAGE LAKE HARBOR, MI	92,000	92,000
(N)	PRESQUE ISLE HARBOR, MI	319,000	319,000
(N)	ROUGE RIVER, MI	800,000	800,000
(N)	SAGINAW RIVER, MI	2,336,000	2,336,000
(N)	SAGINAW RIVER, MI-DIKE DISPOSAL	356,000	356,000
(N)	SAUGATUCK HARBOR, MI	121,000	121,000
(FC)	SEBEWAING RIVER (ICE JAM REMOVAL), MI	12,000	12,000
(N)	SOUTH HAVEN HARBOR, MI	473,000	473,000
(N)	ST. CLAIR RIVER, MI	1,330,000	1,330,000

CORPS OF ENGINEERS - OPERATION AND MAINTENANCE

TYPE OF PROJECT	PROJECT TITLE	BUDGET ESTIMATE	CONFERENCE
(N)	ST. JOSEPH HARBOR, MI	1,331,000	1,331,000
(MP)	ST. MARYS RIVER, MI	15,250,000	15,250,000
	MINNESOTA		
(FC)	BIGSTONE LAKE, WHETSTONE RIVER, MN & SD	199,000	199,000
(N)	DULUTH - SUPERIOR HARBOR, MN & WI	4,731,000	4,731,000
(N)	GRAND MARAIS HARBOR, MN	154,000	154,000
(FC)	LAC QUI PARLE LAKES, MINNESOTA RIVER, MN	534,000	534,000
(N)	MINNESOTA RIVER, MN	175,000	175,000
(FC)	ORWELL LAKE, MN	283,000	283,000
(FC)	RED LAKE RIVER, MN	183,000	183,000
(N)	RESERVOIRS AT HEADWATERS OF MISSISSIPPI RIVER, MN	2,665,000	2,665,000
	SAUK LAKE, MN	---	40,000
(N)	WARROAD HARBOR, MN	558,000	558,000
	MISSISSIPPI		
(N)	BILOXI HARBOR, MS	88,000	88,000
(N)	CLAIBORNE COUNTY PORT, MS	78,000	78,000
(FC)	EAST FORK, TOMBIGBEE RIVER, MS	246,000	246,000
(N)	GULFPORT HARBOR, MS	1,995,000	1,995,000
(N)	MOUTH OF YAZOO RIVER, MS	152,000	152,000
(FC)	OKATIBBEE LAKE, MS	1,312,000	1,312,000
(N)	PASCAGOULA HARBOR, MS	4,571,000	4,571,000
(N)	PEARL RIVER, MS & LA	236,000	736,000
(N)	ROSEDALE HARBOR, MS	368,000	368,000
(N)	YAZOO RIVER, MS	79,000	79,000
	MISSOURI		
(N)	CARUTHERSVILLE HARBOR, MO	387,000	387,000
(MP)	CLARENCE CANNON DAM AND MARK TWAIN LAKE, MO	5,270,000	5,870,000
(FC)	CLEARWATER LAKE, MO	2,011,000	2,011,000
(MP)	HARRY S. TRUMAN DAM AND RESERVOIR, MO	7,571,000	7,571,000
(FC)	LITTLE BLUE RIVER LAKES, MO	1,055,000	1,055,000
(FC)	LONG BRANCH LAKE, MO	719,000	919,000
(N)	MISS RIVER BTWN THE OHIO AND MO RIVERS (REG WORKS), MO	15,463,000	15,463,000
(FC)	POMME DE TERRE LAKE, MO	2,027,000	2,027,000
(FC)	SMITHVILLE LAKE, MO	1,017,000	1,017,000
(N)	SOUTHEAST MISSOURI PORT, MISSISSIPPI RIVER, MO	236,000	236,000
(MP)	STOCKTON LAKE, MO	2,636,000	2,636,000
(MP)	TABLE ROCK LAKE, MO	4,925,000	4,925,000
(FC)	UNION LAKE, MO	17,000	17,000
(FC)	WAPPAPELLO LAKE, MO	100,000	100,000

CORPS OF ENGINEERS - OPERATION AND MAINTENANCE

TYPE OF PROJECT	PROJECT TITLE	BUDGET ESTIMATE	CONFERENCE
	MONTANA		
(MP)	FT. PECK DAM AND LAKE, MT	3,522,000	3,522,000
(MP)	LIBBY DAM, LAKE KOOCANUSA, MT	5,136,000	5,136,000
	MISSOURI R BTWN FT PECK DAM, MT AND GAVINS PT DAM, SD	---	1,500,000
	NEBRASKA		
(MP)	GAVINS POINT DAM - LEWIS AND CLARK LAKE, NE & SD	4,535,000	4,535,000
(FC)	HARLAN COUNTY LAKE, NE	1,499,000	1,499,000
(MP)	MO R MASTER WTR CONTROL MANUAL, NE, IA, KS, MO, MT, ND	1,000,000	1,000,000
	MISSOURI NATIONAL RECREATIONAL RIVER, NE & SD	---	200,000
(FC)	PAPILLION CREEK & TRIBUTARIES LAKES, NE	645,000	645,000
(FC)	SALT CREEK AND TRIBUTARIES, NE	763,000	763,000
	NEVADA		
(FC)	MARTIS CREEK LAKE, NV & CA	371,000	371,000
(FC)	PINE AND MATHEWS CANYONS DAMS, NV	118,000	118,000
	NEW HAMPSHIRE		
(FC)	BLACKWATER DAM, NH	386,000	386,000
(FC)	FRANKLIN FALLS DAM, NH	459,000	459,000
(FC)	HOPKINTON-EVERETT LAKES, NH	1,239,000	1,239,000
(FC)	OTTER BROOK LAKE, NH	450,000	450,000
(FC)	SURRY MOUNTAIN LAKE, NH	447,000	447,000
	NEW JERSEY		
(N)	BARNEGAT INLET, NJ	1,003,000	1,003,000
(N)	COLD SPRING INLET, NJ	769,000	769,000
(N)	DELAWARE RIVER, PHILADELPHIA, PA TO TRENTON, NJ	435,000	435,000
(N)	DELAWARE RIVER-PHILADELPHIA TO THE SEA, NJ, PA & DE	14,442,000	14,442,000
(N)	NEW JERSEY INTRACOASTAL WATERWAY, NJ	1,792,000	1,792,000
(N)	NEWARK BAY, HACKENSACK AND PASSAIC RIVERS, NJ	210,000	210,000
	PASSAIC RIVER FLOOD WARNING SYSTEM, NJ	---	350,000
(N)	RARITAN RIVER TO ARTHUR KILL CUT-OFF, NJ	980,000	980,000
(N)	SHOAL HARBOR AND COMPTON CREEK, NJ	205,000	205,000
(N)	SHREWSBURY RIVER, NJ-MAIN CHANNEL	55,000	55,000
	NEW MEXICO		
(FC)	ABIQUIU DAM, NM	1,256,000	1,256,000
(FC)	COCHITI LAKE, NM	1,725,000	1,725,000
(FC)	CONCHAS LAKE, NM	864,000	864,000
(FC)	GALISTEO DAM, NM	260,000	260,000
(FC)	JEMEZ CANYON DAM, NM	375,000	375,000
(FC)	SANTA ROSA DAM AND LAKE, NM	775,000	775,000
(FC)	TWO RIVERS DAM, NM	329,000	329,000

CORPS OF ENGINEERS - OPERATION AND MAINTENANCE

TYPE OF PROJECT	PROJECT TITLE	BUDGET ESTIMATE	CONFERENCE
	NEW YORK		
(FC)	ALMOND LAKE, NY	354,000	354,000
(FC)	ARKPORT DAM, NY	200,000	200,000
(N)	BAYRIDGE AND RED HOOK CHANNELS, NY	1,944,000	1,944,000
(N)	BLACK ROCK CHANNEL AND TONAWANDA HARBOR, NY	2,011,000	2,011,000
(N)	BUFFALO HARBOR, NY	1,828,000	1,828,000
(N)	BUTTERMILK CHANNEL, NY	145,000	145,000
(N)	CATTARAUGUS CREEK HARBOR, NY	482,000	482,000
(N)	CONEY ISLAND CHANNEL, NY	770,000	770,000
(N)	DUNKIRK HARBOR, NY	290,000	290,000
(N)	EAST CHESTER CREEK, NY	70,000	70,000
(N)	EAST ROCKAWAY INLET, NY	764,000	764,000
(FC)	EAST SIDNEY LAKE, NY	347,000	347,000
(N)	GOWANUS CREEK CHANNEL, NY	427,000	427,000
(N)	GREAT SOUTH BAY, NY	387,000	387,000
(N)	HUDSON RIVER CHANNEL, NY	780,000	780,000
(N)	HUDSON RIVER, NY	3,203,000	3,203,000
(N)	IRONDEQUOIT BAY HBR, NY	339,000	339,000
(N)	JAMAICA BAY, NY	513,000	513,000
(N)	JONES INLET, NY	50,000	50,000
(N)	LONG ISLAND INTRACOASTAL WATERWAY, NY	578,000	578,000
(N)	MAMARONECK HARBOR, NY	50,000	50,000
(N)	MILTON HARBOR, NY	168,000	1,368,000
(FC)	MT. MORRIS LAKE, NY	1,332,000	1,332,000
(N)	NARROWS OF LAKE CHAMPLAIN, NY & VT	41,000	41,000
(N)	NEW YORK AND NEW JERSEY CHANNELS, NY	1,315,000	1,315,000
(N)	NEW YORK HARBOR, NY	6,923,000	6,923,000
(N)	NEW YORK HARBOR, NY (DRIFT REMOVAL)	4,199,000	4,199,000
(N)	NEW YORK HARBOR, NY (PREVENTION OF OBSTRUCTIVE DEPOSIT	720,000	720,000
(N)	NEWTOWN CREEK, NY	225,000	225,000
(N)	OSWEGO HARBOR, NY	398,000	398,000
(N)	ROCHESTER HARBOR, NY	769,000	769,000
(N)	SHINNECOCK INLET	2,416,000	2,416,000
(FC)	SOUTHERN NEW YORK PROJECTS, NY	2,186,000	2,186,000
(FC)	WHITNEY POINT LAKE, NY	399,000	399,000
(FC)	EDWARD MACDOWELL LAKE, NH	433,000	433,000
	NORTH CAROLINA		
(N)	ATLANTIC INTRACOASTAL WATERWAY, NC (WILMINGTON DISTRIC	5,345,000	5,345,000
(FC)	B. EVERETT JORDAN DAM AND LAKE, NC	1,070,000	1,070,000
(N)	BEAUFORT HARBOR, NC	400,000	400,000
(N)	BOGUE INLET AND CHANNEL, NC	776,000	776,000
(N)	CAPE FEAR RIVER ABOVE WILMINGTON, NC	923,000	923,000
(N)	CAROLINA BEACH INLET, NC	800,000	800,000
(N)	CHANNEL FROM BACK SOUND TO LOOKOUT BIGHT, NC	470,000	470,000
(FC)	FALLS LAKE, NC	960,000	960,000
(N)	LOCKWOODS FOLLY RIVER, NC	906,000	906,000
(N)	MANTEO (SHALLOWBAG) BAY, NC	6,014,000	6,500,000

CORPS OF ENGINEERS - OPERATION AND MAINTENANCE

TYPE OF PROJECT	PROJECT TITLE	BUDGET ESTIMATE	CONFERENCE
(N)	MASONBORO INLET AND CONNECTING CHANNEL, NC	1,741,000	2,100,000
(N)	MOREHEAD CITY HARBOR, NC	2,546,000	3,500,000
(N)	NEW RIVER INLET, NC	946,000	946,000
(N)	NEW TOPSAIL INLET AND CONNECTING CHANNELS, NC	648,000	648,000
(N)	OCRACOKE INLET, NC	278,000	278,000
(N)	ROLLINSON CHANNEL, NC	389,000	389,000
(N)	SILVER LAKE HARBOR, NC	772,000	772,000
(N)	SMITHS CREEK, PAMLICO COUNTY, NC	548,000	548,000
(N)	STUMPY POINT BAY, NC	648,000	648,000
(FC)	W. KERR SCOTT DAM AND RESERVOIR, NC	1,726,000	1,726,000
(N)	WATERWAY CONNECTING PAMLICO SOUND AND BEAUFORT HARBOR,	270,000	270,000
(N)	WILMINGTON HARBOR, NC	3,975,000	4,400,000
	NORTH DAKOTA		
(FC)	BOWMAN-HALEY LAKE, ND	278,000	278,000
(MP)	GARRISON DAM, LAKE SAKAKAWEA, ND	8,212,000	8,212,000
(FC)	HOMME LAKE AND DAM, ND	239,000	239,000
(FC)	LAKE ASHTABULA AND BALDHILL DAM, ND	917,000	917,000
	LAKE SAKAKAWEA	---	50,000
(FC)	PIPESTEM LAKE, ND	378,000	378,000
	OHIO		
(FC)	ALUM CREEK LAKE, OH	549,000	549,000
(N)	ASHTABULA HARBOR, OH	952,000	952,000
(FC)	BERLIN LAKE, OH	1,849,000	1,849,000
(FC)	CAESAR CREEK LAKE, OH	806,000	806,000
(FC)	CLARENCE J. BROWN DAM, OH	600,000	600,000
(N)	CLEVELAND HARBOR, OH	5,495,000	5,495,000
(N)	CONNEAUT HARBOR, OH	652,000	652,000
(FC)	DEER CREEK LAKE, OH	516,000	516,000
(FC)	DELAWARE LAKE, OH	896,000	896,000
(FC)	DILLON LAKE, OH	563,000	563,000
(N)	FAIRPORT HARBOR, OH	57,000	57,000
(N)	HURON HARBOR, OH	42,000	42,000
(N)	LORAIN HARBOR, OH	965,000	965,000
(FC)	MASSILLON, OH	25,000	25,000
(FC)	MICHAEL J. KIRWAN DAM AND RESERVOIR, OH	799,000	799,000
(FC)	MOSQUITO CREEK LAKE, OH	651,000	651,000
(FC)	MUSKINGUM RIVER LAKES, OH	5,598,000	5,598,000
(FC)	NORTH BRANCH KOKOSING RIVER LAKE, OH	256,000	256,000
(FC)	PAINT CREEK LAKE, OH	547,000	547,000
(N)	PORTSMOUTH HARBOR, OH	75,000	75,000
(FC)	ROSEVILLE, OH	25,000	25,000
(N)	SANDUSKY HARBOR, OH	559,000	559,000
(N)	TOLEDO HARBOR, OH	7,174,000	7,574,000
(FC)	TOM JENKINS DAM, OH	279,000	279,000
(FC)	WEST FORK OF MILL CREEK LAKE, OH	416,000	416,000
(N)	WEST HARBOR, OH	347,000	347,000

CORPS OF ENGINEERS - OPERATION AND MAINTENANCE

TYPE OF PROJECT	PROJECT TITLE	BUDGET ESTIMATE	CONFERENCE
(FC)	WILLIAM H. HARSHA LAKE, OH	749,000	749,000
	OKLAHOMA		
(FC)	ARCADIA LAKE, OK	363,000	363,000
(FC)	BIRCH LAKE, OK	703,000	703,000
(MP)	BROKEN BOW LAKE, OK	1,695,000	1,695,000
(FC)	CANDY LAKE, OK	41,000	41,000
(FC)	CANTON LAKE, OK	1,543,000	1,543,000
(FC)	COPAN LAKE, OK	1,012,000	1,012,000
(MP)	EUFAULA LAKE, OK	4,490,000	4,490,000
(MP)	FORT GIBSON LAKE, OK	3,579,000	3,579,000
(FC)	FORT SUPPLY LAKE, OK	731,000	731,000
(FC)	GREAT SALT PLAINS LAKE, OK	348,000	348,000
(FC)	HEYBURN LAKE, OK	627,000	627,000
(FC)	HUGO LAKE, OK	1,500,000	1,500,000
(FC)	HULAH LAKE, OK	422,000	422,000
(FC)	KAW LAKE, OK	1,814,000	1,814,000
(MP)	KEYSTONE LAKE, OK	2,745,000	2,745,000
(FC)	OOLOGAH LAKE, OK	1,315,000	1,315,000
(FC)	OPTIMA LAKE, OK	514,000	514,000
(FC)	PENSACOLA RESERVOIR - LAKE OF THE CHEROKEES, OK	6,000	6,000
(FC)	PINE CREEK LAKE, OK	890,000	890,000
(MP)	ROBERT S. KERR LOCK & DAM AND RESERVOIRS, OK	2,926,000	2,926,000
(FC)	SARDIS LAKE, OK	904,000	904,000
(FC)	SKIATOOK LAKE, OK	1,301,000	1,301,000
(MP)	TENKILLER FERRY LAKE, OK	2,972,000	2,972,000
(FC)	WAURIKA LAKE, OK	1,318,000	1,318,000
(MP)	WEBBERS FALLS LOCK AND DAM, OK	2,557,000	2,557,000
(FC)	WISTER LAKE, OK	669,000	669,000
	OREGON		
(FC)	APPLEGATE LAKE, OR	602,000	602,000
(FC)	BLUE RIVER LAKE, OR	249,000	249,000
(MP)	BONNEVILLE LOCK AND DAM, OR	14,376,000	14,376,000
(N)	CHETCO RIVER, OR	684,000	684,000
(N)	COLUMBIA & LWR WILLAMETTE R BLW VANCOUVER, WA & PORTLA	9,245,000	9,245,000
(N)	COLUMBIA RIVER AT MOUTH, OR & WA	7,934,000	7,934,000
(N)	COLUMBIA RIVER BETWEEN VANCOUVER, WA & THE DALLES, OR.	370,000	370,000
(N)	COOS BAY, OR	5,100,000	5,100,000
(N)	COQUILLE RIVER, OR	399,000	399,000
(FC)	COTTAGE GROVE LAKE, OR	629,000	629,000
(MP)	COUGAR LAKE, OR	1,063,000	1,063,000
(N)	DEPOE BAY OR	2,000	2,000
(MP)	DETROIT LAKE, OR	1,892,000	1,892,000
(FC)	DORENA LAKE, OR	532,000	532,000
(FC)	FALL CREEK LAKE, OR	462,000	462,000
(FC)	FERN RIDGE LAKE, OR	652,000	652,000
(MP)	GREEN PETER FOSTER LAKES, OR	2,327,000	2,327,000

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CORPS OF ENGINEERS - OPERATION AND MAINTENANCE

TYPE OF PROJECT	PROJECT TITLE	BUDGET ESTIMATE	CONFERENCE
(MP)	HILLS CREEK LAKE, OR	703,000	703,000
(MP)	JOHN DAY LOCK AND DAM, OR	14,400,000	14,400,000
(MP)	LOOKOUT POINT LAKE, OR	3,538,000	3,538,000
(MP)	LOST CREEK LAKE, OR	3,472,000	3,472,000
(MP)	MCNARY LOCK AND DAM, OR	10,689,000	10,689,000
(N)	PORT ORFORD, OR	401,000	401,000
(N)	ROGUE RIVER, OR	828,000	828,000
(N)	SIUSLAW RIVER, OR	847,000	847,000
(N)	SKIPANON CHANNEL, OR	353,000	353,000
(N)	TILLAMOOK BAY & BAR, OR	8,000	8,000
(N)	UMPQUA RIVER, OR	1,428,000	1,428,000
(N)	WILLAMETTE RIVER AT WILLAMETTE FALLS, OR	749,000	749,000
(FC)	WILLAMETTE RIVER BANK PROTECTION, OR	169,000	169,000
(FC)	WILLOW CREEK LAKE, OR	444,000	444,000
(N)	YAQUINA BAY & HARBOR, OR	693,000	2,193,000
	PENNSYLVANIA		
(N)	ALLEGHENY RIVER, PA	8,367,000	11,367,000
(FC)	ALVIN R. BUSH DAM, PA	443,000	443,000
(FC)	AYLESWORTH CREEK LAKE, PA	172,000	172,000
(FC)	BELTZVILLE LAKE, PA	744,000	744,000
(FC)	BLUE MARSH LAKE, PA	1,550,000	1,550,000
(FC)	CONEMAUGH RIVER LAKE, PA	927,000	927,000
(FC)	COWANESQUE LAKE, PA	1,340,000	1,340,000
(FC)	CROOKED CREEK LAKE, PA	1,166,000	1,166,000
(FC)	CURWENSVILLE LAKE, PA	476,000	476,000
(FC)	EAST BRANCH CLARION RIVER LAKE, PA	1,002,000	1,002,000
(N)	ERIE HARBOR, PA	396,000	1,396,000
(FC)	FOSTER JOSEPH SAYERS DAM, PA	576,000	576,000
(FC)	FRANCIS E. WALTER DAM, PA	484,000	484,000
(FC)	GENERAL EDGAR JADWIN DAM AND RESERVOIR, PA	241,000	241,000
(FC)	JOHNSTOWN, PA	2,028,000	2,028,000
(FC)	KINZUA DAM AND ALLEGHENY RESERVOIR, PA	1,308,000	1,308,000
(FC)	LOYALHANNA LAKE, PA	974,000	974,000
(FC)	MAHONING CREEK LAKE, PA	715,000	715,000
(N)	MONONGAHELA RIVER, PA	14,803,000	14,803,000
(N)	OHIO RIVER LOCKS AND DAMS CONSTRUCTION, PA	11,164,000	11,164,000
(N)	OHIO RIVER OPEN CHANNEL, PA	120,000	120,000
(FC)	PROMPTON LAKE, PA	531,000	531,000
(FC)	PUNXSUTAWNEY, PA	192,000	192,000
(FC)	RAYSTOWN LAKE, PA	2,111,000	2,711,000
(N)	SCHUYLKILL RIVER, PA	105,000	105,000
(FC)	SHENANGO RIVER LAKE, PA	2,069,000	2,069,000
(FC)	STILLWATER LAKE, PA	261,000	261,000
(FC)	TIOGA-HAMMOND LAKES, PA	1,459,000	1,459,000
(FC)	TIONESTA LAKE, PA	1,077,000	1,077,000
(FC)	UNION CITY LAKE, PA	295,000	295,000
(FC)	WOODCOCK CREEK LAKE, PA	728,000	728,000
(FC)	YORK INDIAN ROCK DAM, PA	925,000	925,000

CORPS OF ENGINEERS - OPERATION AND MAINTENANCE

TYPE OF PROJECT	PROJECT TITLE	BUDGET ESTIMATE	CONFERENCE
(FC)	YOUGHIOGHENY RIVER LAKE, PA	1,807,000	1,807,000
	PUERTO RICO		
(N)	ARECIBO HARBOR, PR	495,000	495,000
(N)	SAN JUAN HARBOR, PR	1,070,000	1,070,000
	SOUTH CAROLINA		
(N)	ATLANTIC INTRACOASTAL WATERWAY, SC (CHARLESTON DISTRIC	2,075,000	2,075,000
(N)	CHARLESTON HARBOR, SC	3,708,000	3,708,000
(N)	COOPER RIVER, CHARLESTON HARBOR, SC	4,702,000	4,702,000
(N)	FOLLY RIVER, SC	240,000	240,000
(N)	GEORGETOWN HARBOR, SC	1,723,000	1,723,000
(N)	JEREMY CREEK, SC	3,000	3,000
(N)	LITTLE RIVER INLET, SC & NC	236,000	236,000
(N)	MURRELLS INLET, SC	134,000	134,000
(N)	PORT ROYAL HARBOR, SC	231,000	231,000
	SHEM CREEK, SC	---	300,000
(N)	SHIPYARD RIVER, SC	323,000	323,000
(N)	TOWN CREEK, SC	245,000	245,000
	SOUTH DAKOTA		
(MP)	BIG BEND DAM - LAKE SHARPE, SD	6,163,000	6,163,000
(FC)	COLD BROOK LAKE, SD	255,000	255,000
(FC)	COTTONWOOD SPRINGS LAKE, SD	187,000	187,000
(MP)	FT. RANDALL DAM - LAKE FRANCIS CASE, SD	8,359,000	8,359,000
(FC)	LAKE TRAVERSE AND BOIS DE SIOUX, SD & MN	542,000	542,000
(MP)	OAHE DAM-LAKE OAHE, SD & ND	9,388,000	9,388,000
	TENNESSEE		
(MP)	CENTER HILL LAKE, TN	5,424,000	5,424,000
(MP)	CHEATHAM LOCK AND DAM, TN	4,176,000	4,176,000
(MP)	CORDELL HULL DAM AND RESERVOIR, TN	3,566,000	3,566,000
(MP)	DALE HOLLOW LAKE, TN	3,502,000	3,502,000
(MP)	J. PERCY PRIEST DAM AND RESERVOIR, TN	3,602,000	3,602,000
(MP)	OLD HICKORY LOCK AND DAM, TN	5,253,000	5,253,000
(N)	TENNESSEE RIVER, TN	10,817,000	10,817,000
(N)	WOLF RIVER HARBOR, TN	674,000	674,000
	TEXAS		
(FC)	AQUILLA LAKE, TX	699,000	699,000
(FC)	ARK-RED RIVER CHLORIDE CONTROL-AREA VIII, TX	713,000	713,000
(FC)	BARDWELL LAKE, TX	1,048,000	1,048,000
(FC)	BELTON LAKE, TX	1,915,000	1,915,000
(FC)	BENBROOK LAKE, TX	1,411,000	1,411,000
(N)	BRAZOS ISLAND HARBOR, TX	3,146,000	3,146,000

CORPS OF ENGINEERS - OPERATION AND MAINTENANCE

TYPE OF PROJECT	PROJECT TITLE	BUDGET ESTIMATE	CONFERENCE
(FC)	BUFFALO BAYOU AND TRIBUTARIES, TX	1,717,000	1,717,000
(FC)	CANYON LAKE, TX	1,408,000	1,408,000
(N)	CHANNEL TO HARLINGEN, TX	700,000	700,000
(N)	CHANNEL TO PORT MANSFIELD, TX	100,000	100,000
(N)	CHANNEL TO VICTORIA - GIWW, TX	1,498,000	1,498,000
(N)	CHOCOLATE BAYOU - GIWW, TX	250,000	250,000
(FC)	COOPER LAKE AND CHANNELS, TX	739,000	739,000
(N)	CORPUS CHRISTI SHIP CHANNEL, TX	5,228,000	5,228,000
(MP)	DENISON DAM - LAKE TEXOMA, TX	6,257,000	6,257,000
(FC)	ESTELLINE SPRINGS EXPERIMENTAL PROJECT, TX	5,000	5,000
(FC)	FERRELLS BRIDGE DAM - LAKE O'THE PINES, TX	1,903,000	1,903,000
(N)	FREEPORT HARBOR, TX	2,198,000	2,198,000
(N)	GALVESTON HARBOR AND CHANNEL, TX	2,541,000	3,500,000
(FC)	GRANGER DAM AND LAKE, TX	1,161,000	1,161,000
(FC)	GRAPEVINE LAKE, TX	1,837,000	1,837,000
(N)	GREENS BAYOU, TX	342,000	342,000
(N)	GULF INTRACOASTAL WATERWAY, TX	13,316,000	13,316,000
(FC)	HORDS CREEK LAKE, TX	870,000	870,000
(N)	HOUSTON SHIP CHANNEL, TX	3,008,000	3,008,000
(FC)	JOE POOL LAKE, TX	672,000	672,000
(FC)	LAKE KEMP, TX	173,000	173,000
(FC)	LAVON LAKE, TX	2,094,000	2,094,000
(FC)	LEWISVILLE DAM, TX	2,169,000	2,169,000
(N)	MATAGORDA SHIP CHANNEL, TX	3,953,000	3,953,000
(N)	MATAGORDA SHIP CHANNEL TO RED BLUFF, TX	---	750,000
(FC)	NAVARRO MILLS LAKE, TX	1,193,000	1,193,000
(FC)	NORTH SAN GABRIEL DAM AND LAKE, GEORGETOWN, TX	1,249,000	1,249,000
(FC)	O. C. FISHER DAM AND LAKE, TX	1,012,000	1,012,000
(FC)	PAT MAYSE LAKE, TX	1,207,000	1,207,000
(FC)	PROCTOR LAKE, TX	1,274,000	1,274,000
(FC)	RAY ROBERTS LAKE, TX	664,000	719,000
(N)	SABINE-NECHES WATERWAY, TX	7,282,000	7,282,000
(MP)	SAM RAYBURN DAM AND RESERVOIR, TX	2,584,000	3,800,000
(FC)	SOMERVILLE LAKE, TX	2,342,000	2,342,000
(FC)	STILLHOUSE HOLLOW DAM, TX	1,332,000	1,332,000
(MP)	TOWN BLUFF DAM-STEINHAGEN LAKE-WILLIS HYDROPOWER, TX	1,315,000	1,390,000
(N)	TRINITY RIVER AND TRIBUTARIES, TX	1,060,000	1,060,000
(FC)	WACO LAKE, TX	1,893,000	1,893,000
(FC)	WALLISVILLE LAKE, TX	428,000	428,000
(MP)	WHITNEY LAKE, TX	2,762,000	2,762,000
(FC)	WRIGHT PATMAN DAM AND LAKE, TX	1,942,000	1,942,000
	VERMONT		
(FC)	BALL MOUNTAIN LAKE, VT	640,000	640,000
(FC)	NORTH HARTLAND LAKE, VT	477,000	477,000
(FC)	NORTH SPRINGFIELD LAKE, VT	493,000	493,000
(FC)	TOWNSHEND LAKE, VT	434,000	434,000
(FC)	UNION VILLAGE DAM, VT	373,000	373,000

CORPS OF ENGINEERS - OPERATION AND MAINTENANCE

TYPE OF PROJECT	PROJECT TITLE	BUDGET ESTIMATE	CONFERENCE
	VIRGINIA		
(N)	APPOMATTOX RIVER, VA	164,000	164,000
(N)	ATLANTIC INTRACOASTAL WATERWAY, VA	3,591,000	3,591,000
(N)	BONUM CREEK, VA	299,000	299,000
(N)	CHANNEL TO NEWPORT NEWS, VA	975,000	975,000
(N)	CHINCOTEAGUE INLET, VA	945,000	945,000
(FC)	GATHRIGHT DAM AND LAKE MOOMAW, VA	1,345,000	1,345,000
(N)	HAMPTON RDS, NORFOLK & NEWPORT NEWS HBR, VA (DRIFT REM	615,000	615,000
(N)	JAMES RIVER CHANNEL, VA	2,157,000	2,157,000
(MP)	JOHN H. KERR DAM AND RESERVOIR, VA & NC	7,061,000	7,061,000
(FC)	JOHN W. FLANNAGAN DAM AND RESERVOIR, VA	1,265,000	1,265,000
(N)	LAFAYETTE RIVER, VA	431,000	431,000
(N)	NORFOLK HARBOR AND CHANNELS, VA	7,593,000	7,593,000
(N)	NORFOLK HARBOR, VA (PREVENTION OF OBSTRUCTIVE DEPOSITS	102,000	102,000
(FC)	NORTH FORK OF POUND RIVER LAKE, VA	376,000	376,000
(N)	OYSTER CHANNEL, VA	73,000	73,000
(N)	PARKER CREEK, VA	353,000	353,000
(MP)	PHILPOTT LAKE, VA	1,969,000	1,969,000
(N)	QUINBY CREEK, VA	34,000	34,000
(N)	RUDEE INLET, VA	338,000	338,000
(N)	STARLINGS CREEK, VA	132,000	132,000
(N)	TANGIER CHANNEL, VA	30,000	30,000
(N)	THIMBLE SHOAL CHANNEL, VA	1,197,000	1,197,000
(N)	TYLERS BEACH, VA	100,000	100,000
(N)	WATERWAY ON THE COAST OF VIRGINIA, VA	1,341,000	1,341,000
	WASHINGTON		
(MP)	CHIEF JOSEPH DAM, WA	10,764,000	10,764,000
(N)	COLUMBIA RIVER AT BAKER BAY, WA & OR	333,000	333,000
(N)	COLUMBIA RIVER BETWEEN CHINOOK AND SAND ISLAND, WA	676,000	676,000
(MP)	COLUMBIA RIVER SYSTEM OPERATION REVIEW, WA, OR, ID & M	1,100,000	1,100,000
(N)	ELOCHOMAN SLOUGH, WA	108,000	108,000
(N)	EVERETT HARBOR AND SNOHOMISH RIVER, WA	937,000	937,000
(N)	GRAYS HARBOR AND CHEHALIS RIVER, WA	3,981,000	4,500,000
(FC)	HOWARD HANSON DAM, WA	1,338,000	1,338,000
(MP)	ICE HARBOR LOCK AND DAM, WA	6,053,000	6,053,000
(N)	LAKE WASHINGTON SHIP CANAL, WA	5,391,000	5,391,000
(MP)	LITTLE GOOSE LOCK AND DAM, WA	6,434,000	6,434,000
(MP)	LOWER GRANITE LOCK AND DAM, WA	5,329,000	5,329,000
(MP)	LOWER MONUMENTAL LOCK AND DAM, WA	6,321,000	6,321,000
(FC)	MILL CREEK LAKE, WA	660,000	660,000
(FC)	MT. ST. HELENS, WA	788,000	788,000
(FC)	MUD MOUNTAIN DAM, WA	1,949,000	1,949,000
(N)	PUGET SOUND AND TRIBUTARY WATERS, WA	788,000	788,000
(N)	QUILLAYUTE RIVER, WA	538,000	538,000
(N)	SEATTLE HARBOR, WA	462,000	462,000
(FC)	STILLAGUAMISH RIVER, WA	150,000	150,000
(FC)	TACOMA - PUYALLUP, WA	50,000	50,000

CORPS OF ENGINEERS - OPERATION AND MAINTENANCE

TYPE OF PROJECT	PROJECT TITLE	BUDGET ESTIMATE	CONFERENCE
(MP)	THE DALLES LOCK AND DAM, WA	8,222,000	8,222,000
(N)	WILLAPA RIVER AND HARBOR, WA	533,000	533,000
	WEST VIRGINIA		
	CHARLESTON WATERFRONT PARK, WV	---	1,400,000
(FC)	BEECH FORK LAKE, WV	679,000	679,000
(FC)	BLUESTONE LAKE, WV	1,078,000	1,278,000
(FC)	BURNSVILLE LAKE, WV	1,241,000	1,241,000
(FC)	EAST LYNN LAKE, WV	1,052,000	1,052,000
(N)	ELK RIVER HARBOR, WV	314,000	314,000
(FC)	ELKINS, WV	6,000	6,000
(N)	KANAWHA RIVER LOCKS AND DAMS, WV	8,829,000	8,829,000
(N)	OHIO RIVER LOCKS AND DAMS HUNTINGTON, WV	14,196,000	14,196,000
(N)	OHIO RIVER OPEN CHANNEL WORK, HUNTINGTON, WV	1,833,000	1,833,000
(FC)	R. D. BAILEY LAKE, WV	1,322,000	1,322,000
(FC)	STONEWALL JACKSON LAKE, WV	892,000	892,000
(FC)	SUMMERSVILLE LAKE, WV	1,476,000	1,476,000
(FC)	SUTTON LAKE, WV	1,750,000	1,750,000
(N)	TYGART LAKE, WV	1,078,000	1,078,000
	WISCONSIN		
(N)	ALGOMA HARBOR, WI	256,000	256,000
(N)	ASHLAND HARBOR, WI	735,000	735,000
(N)	BIG SUAMICO HARBOR, WI	204,000	204,000
(FC)	EAU GALLE RIVER LAKE WISCONSIN, WI	436,000	436,000
(N)	FOX RIVER, WI	2,199,000	2,199,000
(N)	GREEN BAY HARBOR, WI	2,066,000	2,066,000
(N)	GREEN BAY HARBOR, WI - DIKE DISPOSAL	1,705,000	1,705,000
(N)	KEWAUNEE HARBOR, WI	290,000	290,000
(FC)	LA FARGE LAKE, WI	30,000	30,000
(N)	MANITOWOC HARBOR, WI	358,000	358,000
(N)	MILWAUKEE HARBOR, WI	1,618,000	1,618,000
(N)	SHEBOYGAN HARBOR, WI	425,000	425,000
(N)	STURGEON BAY, WI	536,000	536,000
	WYOMING		
(FC)	JACKSON HOLE LEVEES, WY	1,040,000	1,040,000
	MISCELLANEOUS		
	COASTAL INLET RESEARCH PROGRAM	3,500,000	---
	COST SHARE BEACH DISPOSAL (SECTION 933)	600,000	600,000
	DREDGING RESEARCH PROGRAM (DRP)	4,000,000	4,000,000
	ENVIRONMENTAL REVIEW GUIDE FOR OPERATIONS (ERGO)	4,000,000	2,500,000
	INSPECTION OF COMPLETED WORKS	7,330,000	7,330,000
	MONITORING OF COMPLETED COASTAL PROJECTS	2,000,000	2,000,000
	NATIONAL EMERGENCY PREPAREDNESS PROGRAM (NEPP)	8,000,000	7,000,000

CORPS OF ENGINEERS - OPERATION AND MAINTENANCE

TYPE OF PROJECT	PROJECT TITLE	BUDGET ESTIMATE	CONFERENCE
	NATIVE AMERICAN GRAVES PROTECTION AND REPATRIATION....	3,931,000	---
	POLICY AND PROCEDURES OPTIONS FOR PROJECT O&M.....	100,000	100,000
	PROJECT CONDITION SURVEYS.....	10,252,000	9,000,000
	PROTECTION, CLEARING, AND STRAIGHTENING OF CHANNELS...	50,000	50,000
	RECREATION PARTNERSHIP INITIATIVES (RPI).....	1,000,000	200,000
	REMOVAL OF SUNKEN VESSELS.....	1,000,000	1,000,000
	REPAIR, EVALUATION, MAINTENANCE, AND REHABILITATION RE	6,000,000	6,000,000
	RIVER CONFLUENCE ICE RESEARCH.....	650,000	---
	SCHEDULING RESERVOIR OPERATIONS.....	3,150,000	3,150,000
	SURVEILLANCE OF NORTHERN BOUNDARY WATERS.....	3,537,000	3,537,000
	TECHNICAL ADVISORY FOR RESERVOIR MANAGEMENT.....	200,000	---
	WATER CONTROL RESEARCH PROGRAM.....	675,000	---
	WATERBORNE COMMERCE STATISTICS.....	4,079,000	4,079,000
	WETLANDS ACTION PLAN AND DEMONSTRATION PROGRAM.....	1,000,000	1,000,000
	WETLANDS RESEARCH PROGRAM.....	8,036,000	7,000,000
	REDUCTION FOR ANTICIPATED SAVINGS AND SLIPPAGE.....	-32,471,000	-51,066,000
	TOTAL, OPERATION AND MAINTENANCE.....	1,524,534,000	1,541,668,000

TYPE OF PROJECT:
(N) NAVIGATION
(BE) BEACH EROSION CONTROL
(FC) FLOOD CONTROL
(MP) MULTIPURPOSE, INCLUDING POWER

TITLE II

DEPARTMENT OF THE INTERIOR

The summary tables at the end of this title set forth the conference agreement with respect to the individual appropriations, programs and activities of the Bureau of Reclamation. Additional items of conference agreement are discussed below.

BUREAU OF RECLAMATION

GENERAL INVESTIGATIONS

Amendment No. 23: Appropriates $12,540,000 for General Investigations instead of $13,700,000 as proposed by the House and $12,390,000 as proposed by the Senate.

CONSTRUCTION PROGRAM

Amendment No. 24: Appropriates $470,568,000 for Construction Program as proposed by the House instead of $466,334,000 as proposed by the Senate.

Amendment No. 25: Provides that $154,868,000 shall be available for transfer to the Lower Colorado River Basin Development Fund as proposed by the Senate instead of $156,168,000 as proposed by the House. This amendment reflects the fact that the conference agreement provides $154,868,000 to continue construction of the Central Arizona Project as proposed by the Senate instead of $156,168,000 as proposed by the House.

Amendment No. 26: Restores House language stricken by the Senate that raises the authorized cost ceiling of the Trinity River Restoration Program of the Central Valley Project, California.

Amendment No. 27: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment as follows:

In lieu of the matter inserted by said amendment, insert: *: Provided further, That pursuant to section 406(c)(2) of Public Law 101-628, the Secretary of the Interior is directed to reimburse, in an amount not to exceed $800,000, the City of Prescott, Arizona, for funding advanced by Prescott, Arizona, to the Bureau of Reclamation for hydrological studies required by section 406(c)(1) of Public Law 101-628: Provided further, That the prohibition against obligating funds for construction until after sixty days from the date the Secretary transmits a report to the Congress in accordance with section 5 of the Reclamation Safety of Dams Act of 1978 (43 U.S.C. 509) is waived for the Bitter Root Project, Como Dam, Montana, to allow for an earlier start of emergency repair work.*

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The conference agreement includes language proposed by the Senate that directs the Secretary of the Interior to reimburse, in an amount not to exceed $800,000, the City of Prescott, Arizona, for funds advanced by the city to the Bureau of Reclamation for hydrological studies required by section 406(c)(1) of Public Law 101-628.

The conference agreement also includes language that will permit the Bureau of Reclamation to initiate safety of dams work at Como Dam, Bitter Root Project, Montana, immediately. The Commissioner of Reclamation transmitted the required Safety of Dams modification report for Como Dam to the Congress on August 17, 1992. In his transmittal letter, the Commissioner advises that "immediate modification measures are needed for Como Dam before the spring runoff of 1993 to ensure the safety of the public." In light of the emergency nature of the situation, the conferees agreed to include language in the Act that waives the required 60-day review period by the Congress so that work can begin immediately.

OPERATION AND MAINTENANCE

Amendment No. 28: Appropriates $274,760,000 for Operation and Maintenance instead of $284,010,000 as proposed by the House and $269,760,000 as proposed by the Senate.

The conference agreement includes funding for the projects and programs listed in the House and Senate reports.

Amendment No. 29: Restores House language stricken by the Senate that makes available $3,250,000 for environmental studies associated with the renewal of the Central Valley Project, California, water contracts and environmental compliance and deletes House language stricken by the Senate that provides that those funds shall be treated as capital expenses in accordance with Federal reclamation law.

LOAN PROGRAM

Amendment No. 30: Appropriates $3,502,000 for the Bureau of Reclamation Loan Program, excluding administrative expenses, as proposed by the Senate instead of $2,202,000 as proposed by the House. The conference agreement also provides $600,000 for administrative expenses of the Loan Program as proposed by the House and the Senate.

Amendment No. 31: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment as follows:

In lieu of the sum stricken and inserted by said amendment, insert: *$8,000,000*

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The conference agreement provides a loan obligation ceiling of $8,000,000 instead of $5,060,000 as proposed by the House and $6,000,000 as proposed by the Senate. The Bureau of Reclamation has advised the conferees that a loan obligation ceiling of $8,000,000 is necessary to carry out the fiscal year 1993 program.

Amendment No. 32: Deletes language proposed by the Senate that provides funds for the Ft. McDowell Indian Community, Arizona, project. Funds for this project are included in the amount appropriated in Amendment No. 30.

GENERAL ADMINISTRATIVE EXPENSES

Amendment No. 33: Deletes language proposed by the House and stricken by the Senate which provides that none of the funds appropriated in the Act may be expended to implement the transfer of the Central Valley Project to the State of California unless subsequently authorized by Congress. This provision is addressed in Amendment No. 34.

ADMINISTRATIVE PROVISIONS

Amendment No. 34: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate which provides that none of the funds appropriated in the Act may be expended to implement the transfer of title or ownership of the Central Valley Project to the State of California unless subsequently authorized by Congress. The House bill contained the same provision under General Administrative Expenses.

Amendment No. 35: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment as follows:

In lieu of the matter inserted by said amendment, insert the following:

SEC. 206. Subsection (a) of section 7 of the Federal Water Project Recreation Act (79 Stat. 216 16 U.S.C. 460l-18) is amended by deleting the Proviso from the first sentence and by changing the colon after the word "purposes" to a period.

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The conference agreement includes language proposed by the Senate which removes the $100,000 limit on the Federal share of recreation facility development at Bureau of Reclamation operated water resources projects. The Senate language has been amended to make technical corrections.

Amendment No. 36: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate that directs the Secretary of the Interior to conduct an analysis of alternatives for the design, construction, and operation of the Sykeston Canal as a functional replacement for the Lonetree Reservoir feature of the Garrison Diversion Unit in North Dakota.

BUREAU OF RECLAMATION

PROJECT TITLE	BUDGET ESTIMATE	CONFERENCE ALLOWANCE
GENERAL INVESTIGATIONS		
ARIZONA		
TUCSON/PHOENIX WATER CONSERVATION AND EXCHANGE STUDY..	150,000	150,000
UPPER SAN PEDRO RIVER OPTIMIZATION STUDY.....	175,000	175,000
CALIFORNIA		
AMERICAN RIVER FOLSOM SOUTH OPTIMIZATION STUDY.....	75,000	75,000
DELTA WATER MANAGEMENT.....	---	50,000
OFFSTREAM STORAGE INVESTIGATION.....	---	50,000
PUTAH CREEK FLOW OPTIMIZATION INVESTIGATION.....	50,000	50,000
SACRAMENTO VALLEY RICELANDS/WETLANDS CONJUNCTIVE USE S	---	300,000
SAN JOAQUIN BASIN ACTION PLAN.....	50,000	50,000
SAN JOAQUIN RIVER BASIN RESOURCE MGMT. INITIATIVE.....	600,000	600,000
SAN JOAQUIN VALLEY CONVEYANCE.....	---	10,000
SOUTHERN CALIFORNIA COMPREHENSIVE WATER.....	165,000	165,000
COLORADO		
DOLORES RIVER WATER QUALITY IMPROVEMENT STUDY.....	125,000	125,000
UPPER ARKANSAS RIVER BASIN WATER QUALITY INVEST.....	200,000	200,000
UPPER GUNNISON-UNCOMPAHGRE BASIN PROJECT.....	70,000	70,000
IDAHO		
IDAHO RIVER SYSTEMS MANAGEMENT.....	150,000	150,000
MINIDOKA, NORTHSIDE PUMP. DIV DRAINWTR MGMT STUDY.....	120,000	120,000
KANSAS		
ARKANSAS RIVER WATER MGMT. IMPROVEMENT STUDY.....	50,000	50,000
MONTANA		
FLATHEAD RIVER BASIN STORAGE OPTIMIZATION STUDY.....	56,000	56,000
MUSSELSHELL RIVER WATER MANAGEMENT PLAN.....	80,000	80,000
NEW MEXICO		
MIDDLE RIO GRANDE ASSESSMENT/MGMT STUDY.....	150,000	150,000
NEW MEXICO REGIONAL WATER RESOURCES STUDY.....	100,000	100,000
PECOS RIVER BASIN FISH AND WILDLIFE.....	100,000	100,000
SAN JUAN - GALLUP WATER SUPPLY STUDY.....	---	300,000

BUREAU OF RECLAMATION

PROJECT TITLE	BUDGET ESTIMATE	CONFERENCE ALLOWANCE
OREGON		
GRANDE RONDE WATER OPTIMIZATION STUDY	150,000	150,000
JOSEPHINE COUNTY WATER MGMT IMPROVEMENT STUDY	100,000	100,000
OREGON STREAM RESTORATION PLANNING STUDY	100,000	100,000
OREGON SUBBASIN CONSERVATION PLANNING	100,000	100,000
OWYHEE PROJECT STORAGE OPTIMIZATION STUDY	75,000	75,000
UPPER DESCHUTES RIV BASIN WATER CONSERVATION PROJ	120,000	120,000
UPPER JOHN DAY WATER OPTIMIZATION PROJECT	120,000	120,000
WILLAMETTE RIV BASIN WATER OPTIMIZATION STUDY	125,000	125,000
SOUTH DAKOTA		
BLACK HILLS REGIONAL WATER MANAGEMENT STUDY	100,000	100,000
LEWIS AND CLARK RURAL WATER SUPPLY STUDY	---	100,000
TEXAS		
LOWER RIO GRANDE BASIN STUDY	185,000	185,000
RINCON BAYOU-NUECES MARSH WETLANDS	150,000	150,000
UTAH		
UTAH LAKE WATER MANAGEMENT STUDY	150,000	150,000
WEBER BASIN WATER QUALITY/WATERSHED	50,000	50,000
WYOMING		
WIND RIVER BASIN STUDY	175,000	175,000
VARIOUS		
BEAR RIVER BASIN WATER QUALITY/WATERSHED	50,000	50,000
COLORADO RIVER WATER QUALITY IMPROVEMENT PROGRAM	1,115,000	1,465,000
DROUGHT INVESTIGATIONS	30,000	30,000
ENVIRONMENTAL & INTERAGENCY COORDINATION ACTIVITIES	3,140,000	2,700,000
FISH & WILDLIFE HABITAT PRESERVATION & ENHANCEMENT	375,000	250,000
FOUR CORNERS WATER ASSESSMENT	89,000	89,000
GENERAL PLANNING STUDIES	950,000	900,000
INVESTIGATION OF EXISTING PROJECTS	565,000	400,000
MINOR WORK ON COMPLETED INVESTIGATIONS	525,000	525,000
TECHNICAL ASSISTANCE TO STATES	1,375,000	1,375,000
UPPER SNAKE RIVER BASIN STORAGE OPTIMIZATION	50,000	50,000
WALLA WALLA RIVER STREAMFLOW IMPROVEMENT PROJECT	200,000	130,000
WETLANDS PRESERVATION/RESTORATION	50,000	50,000
REDUCTION FOR SAVINGS AND SLIPPAGE	---	-450,000
TOTAL, GENERAL INVESTIGATIONS	12,680,000	12,540,000

BUREAU OF RECLAMATION

PROJECT TITLE	BUDGET ESTIMATE	CONFERENCE ALLOWANCE
CONSTRUCTION PROGRAM		
CONSTRUCTION AND REHABILITATION AND COLORADO RIVER BASIN SALINITY CONTROL PROJECTS		
ARIZONA		
INDIAN WATER RIGHTS SETTLEMENT PROJECTS	1,090,000	1,090,000
CALIFORNIA		
CENTRAL VALLEY PROJECT:		
AUBURN-FOLSOM SOUTH UNIT	1,500,000	2,250,000
MISCELLANEOUS PROJECT PROGRAMS	10,000,000	10,800,000
SACRAMENTO RIVER DIVISION	5,592,000	10,592,000
SAN FELIPE DIVISION	---	150,000
SAN LUIS UINT	1,000,000	1,000,000
TRINITY RIVER RESTORATION PROGRAM	5,366,000	10,366,000
COLORADO		
GRAND VALLEY UNIT, TITLE II, CRBSCP	16,993,000	16,993,000
LOWER GUNNISON BASIN UNIT, TITLE II, CRBSCP	5,363,000	5,363,000
PARADOX VALLEY UNIT, TITLE II, CRBSCP	3,701,000	3,701,000
NEBRASKA		
NORTH LOUP DIVISION, P-SMBP	18,780,000	18,780,000
NORTH DAKOTA		
GARRISON DIVERSION UNIT, P-SMBP	30,000,000	30,000,000
OREGON		
UMATILLA BASIN PROJECT	---	11,000,000
SOUTH DAKOTA		
BELLE FOURCHE UNIT, P-SMBP	6,352,000	6,352,000
MNI WICONI PROJECT	---	5,000,000
WASHINGTON		
COLUMBIA BASIN PROJECT:		
IRRIGATION FACILITIES	2,110,000	3,410,000

BUREAU OF RECLAMATION

PROJECT TITLE	BUDGET ESTIMATE	CONFERENCE ALLOWANCE
VARIOUS		
BOULDER CANYON PROJECT, AZ-NV	10,159,000	10,159,000
COLORADO RIVER BASIN SALINITY CONTROL PROJ., TITLE I	8,634,000	8,634,000
SUBTOTAL, REGULAR CONSTRUCTION	126,640,000	155,640,000
DRAINAGE AND MINOR CONSTRUCTION:		
BOISE PROJECT, PAYETTE DIVISION, IDAHO	1,564,000	1,564,000
BRANTLEY PROJECT, NEW MEXICO	917,000	917,000
BUFFALO BILL DAM MODIFICATION, P-SMBP	320,000	320,000
COLORADO RIVER FRONT WORK & LEVEE SYSTEM, AR, CO	3,719,000	3,719,000
CULTURAL RESOURCES ACT., ID,ND,MT,OR,SE,WA,WY	300,000	300,000
FRYINGAN-ARKANSAS PROJECT, COLORADO	525,000	525,000
KLAMATH PROJECT, OREGON-CALIFORNIA	2,146,000	2,146,000
LOWER COLORADO WATER SUPPLY PROJECT	201,000	201,000
HEADGATE ROCK HYDROELECTRIC PROJECT	851,000	851,000
MINIDOKA PROJECT, IDAHO	175,000	175,000
MOUNTAIN PARK PROJECT, OKLAHOMA	25,000	25,000
NEWLANDS PROJECT, NEVADA	2,525,000	2,525,000
PICK-SLOAN MISSOURI BASIN PROGRAM:		
BOSTWICK DIVISION, NEBRASKA	---	1,100,000
EAST BENCH UNIT, MONTANA	50,000	50,000
FARWELL UNIT, NEBRASKA	425,000	425,000
OAHE UNIT, SOUTH DAKOTA	174,000	174,000
OWL CREEK UNIT, WYOMING	15,000	15,000
RECREATION FACILITIES AT EXISTING RESV, VARIOUS	48,000	48,000
SAN LUIS VALLEY PROJECT, CLOSED BASIN DIVISION	503,000	503,000
WETLANDS DEVELOPMENT, VARIOUS	3,200,000	3,500,000
YAKIMA FISH PASSAGE/PROTECTIVE FACILITIES, WA	550,000	550,000
SUBTOTAL, DRAINAGE AND MINOR CONSTRUCTION	18,233,000	19,633,000
SAFETY OF DAMS PROGRAMS:		
BIA - DAM SAFETY PROGRAM	12,000,000	---
BOISE PROJECT, DEER FLAT DAM, IDAHO	100,000	100,000
CENTRAL VALLEY PROJ, FOLSOM DAM, CALIFORNIA	5,951,000	5,951,000
DEPARTMENT OF INTERIOR DAM SAFETY PROGRAM	650,000	650,000
HYRUM PROJECT, UTAH	100,000	100,000
INITIATE SOD CORRECTION ACTION, VARIOUS	28,443,000	28,443,000
MODIFICATION REPORTS & PRECONSTRUCTION ACTIVITY	2,500,000	2,500,000
SALT RIVER PROJECT, BARTLETT DAM, ARIZONA	3,885,000	3,885,000
SALT RIVER PROJECT, HORSESHOE DAM, ARIZONA	2,429,000	2,429,000
SALT RIVER PROJECT, STEWART MTN. DAM, ARIZONA	1,958,000	1,958,000
SAN CARLOS IRRIGATION - COOLIDGE DAM, ARIZONA	18,480,000	18,480,000
SUBTOTAL, SAFETY OF DAMS	76,496,000	64,496,000

BUREAU OF RECLAMATION

PROJECT TITLE	BUDGET ESTIMATE	CONFERENCE ALLOWANCE
REHABILITATION AND BETTERMENT:		
MILK RIVER, GLASGOW DIVISION, MT	410,000	410,000
MILK RIVER, MALTA DIVISION, MT	50,000	50,000
OGDEN RIVER PROJECT, UTAH	1,234,000	1,234,000
SHOSHONE PROJECT, WYO	---	1,000,000
SARGENT UNIT, NE	---	450,000
WEBER BASIN PROJECT, UTAH	3,887,000	3,887,000
SUBTOTAL, REHABILITATION AND BETTERMENT	5,581,000	7,031,000
SCIENCE AND TECHNOLOGY:		
DESALTING TECHNOLOGY	1,000,000	1,000,000
GLOBAL CLIMATE CHANGE	2,308,000	2,308,000
GROUNDWATER RECHARGE DEMONSTRATION PROGRAM	2,408,000	2,408,000
WATER TECHNOLOGY/ENVIRONMENTAL RESEARCH	3,500,000	3,500,000
SUBTOTAL, SCIENCE AND TECHNOLOGY	9,216,000	9,216,000
TOTAL, CONSTRUCTION AND REHABILITATION AND COLORADO RIVER BASIN SALINITY CONTROL PROJECTS	236,166,000	256,016,000

BUREAU OF RECLAMATION

PROJECT TITLE	BUDGET ESTIMATE	CONFERENCE ALLOWANCE
COLORADO RIVER STORAGE PROJECT		
UPPER COLORADO RIVER BASIN FUND AND PARTICIPATING PROJECTS		
COLORADO		
ANIMAS-LA PLATA PROJECT	11,000,000	11,000,000
DOLORES PROJECT	35,098,000	35,098,000
UTAH		
CENTRAL UTAH PROJECT, BONNEVILLE UNIT	23,000,000	23,000,000
CENTRAL UTAH PROJECT, UINTAH UNIT	25,000	25,000
DRAINAGE & MINOR CONSTRUCTION:		
PARTICIPATING PROJECTS:		
DALLAS CREEK PROJECT	210,000	210,000
RECREATIONAL AND FISH AND WILDLIFE FACILITIES:		
RECREATIONAL FACILITIES	2,658,000	2,658,000
FISH AND WILDLIFE FACILITIES	6,960,000	6,960,000
TOTAL, COLORADO RIVER STORAGE PROJECT	78,951,000	78,951,000
COLORADO RIVER BASIN PROJECT		
CENTRAL ARIZONA PROJECT		
ARIZONA		
CENTRAL ARIZONA PROJECT, WATER DEVELOPMENT (LCRBDF)	156,168,000	154,868,000
CENTRAL ARIZONA PROJECT, NON-INDIAN DIST. SYSTEMS	100,000	100,000
CENTRAL ARIZONA PROJECT, SAFETY OF DAMS	18,823,000	18,823,000
TOTAL, COLORADO RIVER BASIN PROJECT	175,091,000	173,791,000
ASSOCIATED ITEMS		
UNDISTRIBUTED REDUCTION BASED ON ANTICIPATED DELAYS	-29,574,000	-38,190,000
TOTAL, CONSTRUCTION PROGRAM	460,634,000	470,568,000

BUREAU OF RECLAMATION

PROJECT TITLE	BUDGET ESTIMATE	CONFERENCE ALLOWANCE
LOAN PROGRAM		
ADMINISTRATION OF LOAN PROGRAM	---	600,000
EASTERN MUNICIPAL CALIFORNIA WATER DISTRICT NO. 3	1,000,000	2,202,000
FT. MCDOWELL COMMUNITY, AZ	---	1,300,000
TOTAL, LOAN PROGRAM	1,000,000	4,102,000

TITLE III

DEPARTMENT OF ENERGY

The summary tables at the end of this title set forth the conference agreement with respect to the individual appropriations, programs and activities of the Department of Energy. Additional items of conference agreement are discussed below.

APPLICATION OF GENERAL REDUCTIONS

With regard to any general reductions contained in the Fiscal Year 1993 Energy and Water Development Appropriations Act, with the exception of activities specifically addressed by the Committees, the conferees recommend that the Department of Energy apply those reductions in the most prudent and practical manner. Any such reduction should be taken in a manner that is cost effective and generally least disruptive to the Department's missions and programs. Furthermore, the Department shall consult with and make their plans for these reductions available to the House and Senate Energy and Water Development Appropriations Subcommittees prior to implementing the reductions.

ENERGY SUPPLY, RESEARCH AND DEVELOPMENT ACTIVITIES

Amendment No. 37: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment as follows:

In lieu of the matter stricken and inserted by said amendment, insert: *$3,015,793,000 to remain available until expended, of which $94,800,000 shall be available only for the Bishop Science Center, State of Hawaii; the Ambulatory Research and Education Building, Oregon Health Sciences University; the Center for Energy and Environmental Resources, Louisiana State University, Baton Rouge, Louisiana; the Advanced Technologies Institute, University of Connecticut; the Biomedical Research Facility, University of Alabama at Birmingham; the Cancer Treatment Facility for the Indiana University School of Medicine at Indianapolis, Indiana; the Cancer Institute of New Jersey; the Northeast Environmental Resource and Renewal Facility, Mayfield, Pennsylvania; Center for Advanced Industrial Process, Washington State University, Washington; and the Hahnemann University Ambulatory Care and Teaching Center in Philadelphia, Pennsylvania.*

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

Appropriates $3,015,793,000 for Energy Supply, Research and Development Activities instead of $2,947,633,000 as proposed by the House and $2,971,583,000 as proposed by the Senate.

SOLAR AND RENEWABLE ENERGY PROGRAMS

For solar buildings technology research the conferees recommend $3,000,000 including $1,000,000 in direct support of the PV buildings program and coordination of activities with the PV:BONUS Program. Funds are included for cost-shared violation of enhanced active solar water heating and cooling.

For solar thermal energy systems, the conferees recommend $27,000,000 as proposed by the Senate including $100,000 for capital equipment.

For photovoltaic energy systems, the conference recommendation provides $65,500,000 including an additional $1,200,000 in direct support of the PV:BONUS Program.

From within the available photovoltaic funds, an addition of $1,000,000 should be made available to the polycrystalline thin-film program for the industrial development of large-area modules by the private sector. Also, from within the available photovoltaic funds, the recommendation includes an additional $1,000,000 for the User Scale Applications of Photovoltaics project (USAPV) as provided by the House.

For biofuels energy systems, the conferees agree that the short rotation woody crops program should be continued at $4,000,000. The Committee has supported the management of this program by the Department's Oak Ridge National Laboratory and expects that this management authority will continue.

The conference agreement includes the fiscal year 1992 level of $2,500,000 to provide for the Midwest Plant Biotechnology Consortium. The consortium is directed to continue its practice of funding university research on a competitive basis, with a funding match provided by industry counterparts, to improve alternative renewable energy sources. The conferees have been pleased with the work of this regional alliance but, due to budgetary constraints, are unable to increase funding at this time. The conferees have been concerned with the Department's delay in granting funds to the Midwest Plant Biotechnology Consortium and direct the Department to expedite this process.

The conferees agree with the Senate on the use of $1,000,000 for ocean energy systems.

For geothermal programs, the conferees agree the Department should continue the cost-shared project to demonstrate the economic benefits of improved electric generators in geothermal projects at $2,000,000.

ELECTRIC ENERGY SYSTEMS AND STORAGE

The conference includes $4,500,000 for hydrogen research as proposed by the Senate. From within the amount provided for energy storage, $1,000,000 is for diurnal and industrial research and $1,100,000 is for the seasonal thermal energy storage program.

No funds are included for a superconducting magnetic energy storage system.

The conferees recognize that the superconducting magnetic energy storage (SMES) program represents a critical technology. Development of an SMES system offers the military a wide range of options for high-pulsed power, secure remote site-power source, heavy object electromagnetic launch research, and advanced materials research. In the civilian sector, SMES would be a valuable contributor to environmental protection, national competitiveness, and commercial market opportunities for U.S. firms. Its highly efficient energy storage capability would reduce dependence on foreign energy sources, and lower emissions of greenhouse gases. Accordingly, the conferees direct the Department of Energy to provide the Appropriations Committees of the House and Senate with a report on this program.

NUCLEAR ENERGY

For advanced reactor research and development, the conference recommendation provides a total of $60,039,000. The allowance includes $3,500,000 for the continuation of the funding for the University Research program in Robotics. The recommendations also includes $18,000,000 for the High Temperature Gas Reactor program, $23,000,000 for the Advanced Liquid Metal Reactor/Integral Fast Reactor (ALMR/IFR), $9,000,000 for the Liquid Metal Reactor (LMR), and $6,500,000 for the actinide recycle program.

The conference recommendation continues the Civilian Radioactive Waste Research and Development at the fiscal year 1992 rate of $4,700,000, of which $4,000,000 is to complete the cooperative demonstration project for transportable storage systems and dry spent fuel transfer being conducted by the Department.

LIQUEFIED GASEOUS FUELS SPILL TEST FACILITY

The conferees have included $1,000,000 to continue operational support for the Liquefied Gaseous Fuels Spill Test Facility for fiscal year 1993.

BIOLOGICAL AND ENVIRONMENTAL RESEARCH

The conferees are concerned with the lack of available domestically-produced radioisotopes in this Nation. A Department of Energy sponsored report published in 1991 indicated that the United States is approaching a critical shortage of these materials, which would seriously jeopardize the future of the biomedical industry in this Nation and endanger the treatment of millions of nuclear medicine patients. The Department of Energy is urged to address the situation by providing adequate funds to begin the one-year National Biomedical Tracer Facility Project Definition Phase, as outlined in the 1991 DOE report, in the fiscal year 1994 budget submission to Congress. The Department is also directed to report back to Congress by February 1, 1993, on the status of this action.

MAGNETIC FUSION

The conferees provide $339,710,000 for the magnetic fusion program. The conferees direct the Department of Energy to apply this reduction in a manner that is cost effective and least disruptive to the mission and priorities of the magnetic fusion program.

The conferees note with approval the recent agreement to proceed with the engineering design activity phase of the International Thermonuclear Experimental Reactor (ITER). The conferees provide funds to meet fully the U.S. commitment to ITER and direct the Department to provide a plan for selection of a U.S. candidate site for future construction of ITER.

The conferees recognize the technical progress that has been achieved in magnetic fusion energy here and abroad. The conferees direct the Department to assure that ITER, DT in TFTR, and the DIII-D program receive the highest funding priority within the magnetic fusion program. The conferees have also provided funds for design work leading to a steady-state advanced tokamak planned for operation as a national facility.

SUPPORTING RESEARCH

The managers concur with the direction in the Senate report to DOE that it proceed expeditiously with a decision regarding construction of the Advanced Neutron Source (ANS). The managers are concerned that after making a substantial investment in research and preconstruction activities in the ANS over the course of several years, DOE is presently evaluating the need for a new high flux research reactor such as the ANS versus an accelerator-based system. The Congress has consistently expressed its support for the ANS and the managers urge DOE to take into account that support and the substantial Federal commitment already made to the ANS in making its decision about proceeding with the project.

The conference agreement includes $94,800,000 for new energy, educational and medical facilities. The distribution of this funding is to be made as follows: $10,000,000 for the Bishop Science Center, State of Hawaii; $10,000,000 for the Ambulatory Research and Education Building, Oregon Health Sciences University; $10,000,000 for the Center for Energy and Environmental Resources, Louisiana State University, Baton

Rouge, Louisiana; $10,000,000 for the Advanced Technologies Institute, University of Connecticut; $10,000,000 for the Biomedical Research Facility, University of Alabama at Birmingham; $10,000,000 for the Cancer Treatment Facility for the Indiana University School of Medicine at Indianapolis, Indiana; $10,000,000 for the Cancer Institute of New Jersey; $6,800,000 for the Northeast Environmental Resource and Renewal Facility, Mayfield, Pennsylvania; $8,000,000 for the Center for Advanced Industrial Process, Washington State University, Washington; and $10,000,000 for the Hahnemann University Ambulatory Care and Teaching Center in Philadelphia, Pennsylvania.

POLICY AND MANAGEMENT

The conferees agree with the funding of policy and management as proposed by the Senate. The recommendation includes an increase of $2,356,000 to $5,215,000 for support of planning, analysis, and technology evaluation and ADP support for cross-cutting and market sector activities related to solar and renewable energy program to become available from within the funds under the jurisdiction of that office. These additional funds are to be derived from the solar activities as described by the Senate.

ENVIRONMENTAL RESTORATION AND WASTE MANAGEMENT

The conferees agree that the funding for the West Valley Demonstration project is included at the budget request of $134,000,000.

Amendment No. 38: Deletes language proposed by the Senate providing planning funds for an energy research facility.

URANIUM SUPPLY AND ENRICHMENT ACTIVITIES

Amendment No. 39: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment as follows:

In lieu of the sum stricken and inserted by said amendment, insert: *$1,286,320,000*

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The conference agreement appropriates $1,286,320,000 for Uranium Supply and Enrichment Activities instead of $1,335,320,000 as proposed by the House and $1,321,320,000 as proposed by the Senate.

As proposed by the Senate, the conferees direct that the Department rescope the demonstration program and continue efforts related to supporting AVLIS deployment in fiscal year 1993 and that $7,500,000 of the $70,000,000 appropriated in fiscal year 1993 for AVLIS be redirected to support predeployment activities. Specifically, the Department/corporation is directed to competitively select a single commercial deployment contractor, as per the Secretary's 1990 plan, as soon as possible.

GENERAL SCIENCE AND RESEARCH ACTIVITIES

Amendment No. 40: Appropriates $1,417,784,000 for General Science and Research Activities instead of $998,884,000 as proposed by the House and $1,460,784,000 as proposed by the Senate.

The conferees agree with the Senate with regard to the asymmetric B meson production facility (B-Factory) and the $2,500,000 for high energy physics research eliminated by the House.

The conferees recommend $517,000,000 for the Superconducting Super Collider (SSC), a level $133,000,000 less than the budget request, for this high-priority national project.

Construction of the SSC is the highest priority in particle physics today and absolutely critical for progress into the 21st century. The SSC is the next logical step in high energy physics, springing from human ambition to expand scientific knowledge and technological capability.

The conferees recognize the importance of the SSC to the Nation's technological health. More than just an investment in U.S. scientific leadership, the SSC is the impetus for new directions in industry, education, and economic growth. Over 100 American universities and nearly 900 American scientists are preparing to do research utilizing the SSC. By the end of fiscal year 1992, SSC educational programs will have directly reached more than 30,000 students and educators. More than 6,000 jobs across the country have been created by the SSC, including new opportunities for engineers, technicians, construction, and other workers experiencing reduced job opportunities as a result of cutbacks in the defense industry.

The SSC laboratory and the Department of Energy have maintained the baseline cost outlined in the Superconducting Super Collider cost and schedule baseline, presented to the Congress in January 1991. Critical path milestones are being met, including industrial assembly of superconducting magnets, occupation of the magnet development laboratory, and completion of the cryogenic facility. The accelerator systems string test building is completed and magnets have been installed and all testing has been successful. The conferees are deeply concerned that any further reductions in Federal appropriations will jeopardize this substantial progress.

The conferees recognize the historically international character of high energy physics research and the fact that the Superconducting Super Collider will be used by scientists from many nations. The Secretary of Energy is encouraged to continue with efforts seeking significant foreign investment in the construction of the project.

The SSC is the largest and most important science project ever conceived and undertaken by mankind. Americans have led the world in basic science research for most of this century, with researchers winning 156 Nobel Prizes in physics, chemistry, physiology, and medicine—nearly twice as many as Germany, France, and Japan combined.

However, this country's investments in basic research and scientific facilities produced far more than Nobel Prizes. No nation in history has ever been blessed with high returns on investment in fundamental science and technology as the United States of America has been. The conferees believe that the SSC represents an investment in the future that will make the American people more productive and raise the quality of life. And the conferees believe that the amount of money we are spending on the SSC is not too large because of this investment in science, in industry, in education, and in America. We have not been making enough investment for our country. Investment in the SSC is an investment in the future of America.

Medicine and high energy physics are not remote from each other. X-rays used to determine the structure of the AIDS virus came from electron synchrotons that were first used in high energy physics research; doctors will use excess protons produced by SSC's linear accelerators to destroy cancerous tumors with fewer side effects than traditional radiation therapy; and diagnostic techniques used in medicine have been greatly improved through computerized axial tomography (CAT) and magnetic resonance imaging (MRI). These are but a few of the byproducts of previous high energy physics investment.

Some people raise questions as to the value of fundamental research on the nature of matter. Knowing about the elements of matter is to know what is central to science, central to our being, central to the whole future of technology, and central to the future of scientific endeavor in the world.

As previously stated, the Superconducting Super Collider is the next logical, meaningful, and significant step in the progress of high energy physics; it is planned to be the largest and most powerful particle accelerator ever built. It will consist of four increasingly powerful booster accelerators that will propel a beam of protons up to an energy level of two trillion electron volts before inserting it into two separate rings located in an underground tunnel 54 miles in circumference. The two beams of protons will each be accelerated to an energy level of 20 trillion electron volts—more than twenty times the energy available anywhere else in the world. The counter-rotating beams will then be brought into collisions that will be studied in huge detectors located in underground interaction regions. By examining the debris from the collisions, which will occur at the rate of 100 million per second, scientists will learn much about the fundamental particles and forces that compose the world around us.

Since the Department of Energy introduced its report on the Superconducting Super Collider cost and schedule baseline, the SSC has remained on time and within budget. Key dates in the schedule are being met. All key SSC laboratory and Department of Energy positions are filled. The magnet industrialization program has been successful, meeting its milestones on or ahead of time in order to complete the accelerator systems string test in the summer of 1992. Technology transfer from Fermilab and Brookhaven National Laboratory to General Dynamics and Westinghouse is proceeding on schedule; they have built and successfully tested 50 millimeter dipole magnets. The magnet development laboratory and central facility are both completed and in use. The string test building is completed and magnets are being installed for testing. Two large detector collaborations have been organized and are well underway in the planning and design of the experimental program.

The SSC is currently the largest construction project underway in the United States. The research and construction work surrounding the SSC is generating jobs and economic activity across a wide range of large industry, manufacturing, and academic institutions around the country.

The conferees agree with funding the Los Alamos Meson Physics Facility (LAMPF) in Atomic Energy Defense Activities as proposed by the Senate.

Amendment No. 41: Deletes language proposed by the House requiring Presidential certification with regard to the Superconducting Super Collider.

Amendment No. 42: Deletes language proposed by the House providing for transfers from the Superconducting Super Collider Trust Fund.

NUCLEAR WASTE DISPOSAL FUND

Amendment No. 43: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment as follows:

In lieu of the matter stricken and inserted by said amendment, insert:

NUCLEAR WASTE DISPOSAL FUND

For nuclear waste disposal activities to carry out the purposes of Public Law 97-425, as

amended, including the acquisition of real property or facility construction or expansion, $275,071,000, to remain available until expended, to be derived from the Nuclear Waste Fund. To the extent that balances in the fund are not sufficient to cover amounts available for obligation in the account, the Secretary shall exercise his authority pursuant to section 302(e)(5) of said Act to issue obligations to the Secretary of the Treasury: Provided, That of the amount herein appropriated, within available funds, not to exceed $5,000,000 may be provided to the State of Nevada, for the sole purpose in the conduct of its oversight responsibilities pursuant to the Nuclear Waste Policy Act of 1982, Public Law 97-425, as amended: Provided further, That of the amount herein appropriated, not more than $6,000,000 may be provided to affected local governments, as defined in the Act, to conduct appropriate activities pursuant to the Act: Provided further, That the distribution of the funds herein provided among the affected units of local government shall be determined by the Department of Energy (DOE) and made available to the State and affected units of local government by direct payment: Provided further, That within 90 days of the completion of each Federal fiscal year, each entity shall provide certification to the DOE, that all funds expended from such direct payment monies have been expended for activities as defined in Public Law 97-425, as amended. Failure to provide such certification shall cause such entity to be prohibited from any further funding provided for similar activities: Provided further, That none of the funds herein appropriated may be used directly or indirectly to influence legislative action on any matter pending before Congress or a State legislature or for any lobbying activity as provided in 18 U.S.C. 1913: Provided further. That none of the funds herein appropriated may be used for litigation expenses: Provided further, That grant funds are not to be used to support multistate efforts or other coalition building activities inconsistent with the restrictions contained in this Act: Provided further, That of the amount appropriated herein, up to $3,700,000 shall be available for infrastructure studies and other research and development work to be carried out by the Universities in Nevada, Reno, and Las Vegas, and the Desert Research Institute, and at least $750,000 to continue funding for the Mobile Sampling Platform developed and operated by the Environmental Research Center at the University of Nevada, Las Vegas. Funding to the universities will be administered by the DOE through a cooperative agreement.

In paying the amounts determined to be appropriate as a result of the decision in Consolidated Edison Company of New York v. Department of Energy 870 F.2d 694 (D.C. Cir. 1989), the Department of Energy shall pay interest at a rate to be determined by the Secretary of the Treasury and calculated from the date the amounts were deposited into the Nuclear Waste Fund. Such payments may be made by credits to future utility payments into the Fund.

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The conferees continue to be concerned with the spiralling cost estimates for the characterization of Yucca Mountain. The conferees believe these excessive costs stem in large part from a misallocation of emphasis away from Yucca Mountain and towards headquarters. The conferees are also concerned with the explosive growth which has been proposed for the management and operations (M&O) contract at OCRWM, particularly given the higher than average annual employee cost of the current M&O contractor. The conferees are concerned that the M&O contractor is assuming responsibility more appropriately left to the national laboratories or other DOE contractors. Finally, the conferees believe that the Department's budget submission requests more money than is necessary for the monitored retrievable storage facility and the waste transportation program.

While the conferees are reluctant to give specific line item direction in this year's appropriations bill, OCRWM should not assume that this restraint will continue. Absent meaningful progress in the characterization of Yucca Mountain, a significant reduction in the size and expense of the M&O contractor, and a redirection in programmatic emphasis, the Committees are prepared to undertake this responsibility in future appropriations bills.

ATOMIC ENERGY DEFENSE ACTIVITIES

WEAPONS ACTIVITIES

Amendment No. 44: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment as follows:

In lieu of $4,523,249,000 named in said amendment, insert: *$4,568,749,000.*

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

This amendment appropriates $4,568,749,000 for Weapons Activities instead of $4,548,749,000 as proposed by the House and $4,523,249,000 as proposed by the Senate. The amendment deletes language proposed by the House and stricken by the Senate which provided funds for nuclear nonproliferation activities and the reduced enrichment test reactor program. The amendment also restores House language deleted and restored by the Senate pertaining to the consolidation of nonnuclear facilities of the Department of Energy.

Within available funds for research and development, the conferees have provided $64,500,000 for operation of the Los Alamos Meson Physics Facility in New Mexico.

The managers recognize the increasingly important role played by DOE weapons production facilities in technology commercialization and transfer activities. With the end of the Cold War, these facilities can become equal partners with other DOE laboratories in this important effort to enhance U.S. competitiveness.

In the statement of managers accompanying the Fiscal Year 1992 Energy and Water Development Appropriations Bill, the conferees cited the technology transfer proposal between Sandia National Laboratory and the Diagnostic Instrumentation and Analysis Laboratory as being a "prime example of the technology transfer effort that is needed at DOE." The conferees are concerned that the Department virtually ignored this clear intent for many months, but acknowledge that some progress has apparently been made. The conferees direct the Department to expedite its work toward reaching an agreement on this proposal, and have included $3,000,000 for fiscal year 1993 technology transfer work at DIAL.

The conferees agree that a total of $12,057,000 is available for the krypton fluoride program conducted by the Naval Research Laboratory (NRL) and the Los Alamos National Laboratory. Funding of $5,457,000 is provided for NRL with the remainder to be allocated between the laboratories after a review of the program by the Department.

The House report accompanying the Fiscal Year 1992 Energy and Water Development Appropriations Bill contained a directive that the Secretary of Energy pay the contractor not less than $3,400,000 nor more than $10,000,000 before December 31, 1991, to cover the close out and transition costs associated with DOE contract DE-03-87DP10560. Recent information brought to the Committee's attention indicates that additional funds may be needed in connection with this matter as a result of negotiated settlement or litigation. Concerns have also been raised that any required additional funds would seriously disrupt the ICF program. Therefore, the conferees recommend that, without prejudice to any negotiations or litigation, any required additional funds are to be derived from other sources available to the Department. In order to avoid further delays and costs to the ICF program, the conferees encourage the Department to commence settlement negotiations with the contractor as soon as possible.

The conferees agree with the House report language concerning efforts by the Department to ease the impacts on workers and communities of reductions in employment and other changes in the defense nuclear weapons production complex. The conferees also note that, since the adoption of that report, the full House and Senate Committees on Armed Services have each approved virtually identical statutory provisions in the Defense authorization bill for fiscal year 1993 concerning those subjects. Therefore, the conferees direct the Department to use its best efforts, consistent with existing statutory authority, to address and mitigate the effects of down-sizing and other changes in the nuclear weapons complex on defense nuclear workers and neighboring communities.

NEW PRODUCTION REACTOR

Amendment No. 45: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment as follows:

In lieu of the sum stricken and inserted by said amendment, insert: *$34,028,000.*

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The conference agreement appropriates $34,028,000 instead of $171,800,000 as proposed by the House and $170,028,000 as proposed by the Senate.

In addition, the program has available an estimated $150,000,000 in unobligated balances from prior fiscal years, for a total obligational availability of $184,028,000.

A reduction in tritium requirements has allowed the Department to defer efforts on the design and construction of a new tritium reactor. The conference agreement allocates $154,028,000 for closeout of the New Production Reactor program, including $18,000,000 for research on the accelerator production of tritium. Funds are available for use as necessary for operating expenses, capital equipment, and construction.

The conference agreement provides $30,000,000 under the New Production Reactor program to continue work beyond the termination phase of the two existing NPR design teams to address key technical risks and initiation of detailed design of two electric power producing reactor concepts including an Advanced Light Water Reactor, such as the AP-600, and the Modular High Temperature Gas Reactor to undertake the added mission of plutonium disposal. This will capitalize on the opportunity to quickly and efficiently study means to reduce the plutonium stockpile by burning it in reactors. The large inventories of plutonium pose a significant storage and safeguarding challenge

which may be resolved by using the plutonium to fuel electrical power producing reactors at a DOE reservation. Electrical revenues would offset capital and O&M costs.

These funds would help realize this opportunity by continuing design activities and by focusing them on such reactors. $15,000,000 is provided to develop each advanced conceptual design of alternate technologies. The cost of this work can and should be minimized by refocusing the existing program, by using the existing design teams with in-place experienced personnel, procedures and working relations with all of the national laboratories, thereby avoiding additional costs of completing this work and the inefficiencies of new design teams.

In the statement of the managers accompanying the fiscal year 1992 Energy and Water Development Appropriations conference report, the conferees directed that the Department close out all work associated with light water reactor target development during fiscal year 1992. Accordingly, none of the funds provided under this appropriation account, nor any prior year unobligated balances, may be used for any light water reactor target activities during fiscal year 1993.

DEFENSE ENVIRONMENTAL RESTORATION AND WASTE MANAGEMENT

Amendment No. 46: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment as follows:

In lieu of the sum stricken and inserted by said amendment, insert: *$4,831,547,000*

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The conference agreement appropriates $4,831,547,000 instead of $4,603,009,000 as proposed by the House and $4,802,047,000 as proposed by the Senate.

The conferees expect the Secretary to provide adequate Federal personnel to improve contractor oversight of the Environmental Restoration and Waste Management program and to augment and allocate Federal staff at the field office and headquarters level to accomplish this. There is much concern that inadequate contractor oversight is responsible for the continually increasing cost estimates for this program.

The conference agreement includes funding for the TMI fuel storage project in the nondefense environmental restoration and waste management program.

The conferees have not provided additional funding for the accelerator transmutation of waste in the technology development program. The Department may use $5,000,000 of weapons research and development funds for the laboratory work in this area.

The conference agreement does not approve the Senate report language urging the Department to delay the environmental restoration management contract at Hanford.

MATERIALS PRODUCTION AND OTHER DEFENSE PROGRAMS

Amendment No. 47: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment as follows:

In lieu of the sum stricken and inserted by said amendment, insert: *$2,584,301,000*

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The conference agreement appropriates $2,584,301,000 instead of $2,550,901,000 as proposed by the House and $2,523,301,000 as proposed by the Senate.

The conference agreement provides $327,715,000 for verification and control technology activities which is an increase of $97,715,000 over the fiscal year 1992 funding of $230,000,000. This will provide increased funding for a technology development program at the national laboratories to support implementation of nuclear nonproliferation initiatives.

The conferees have included $45,000,000 for the Office of Intelligence as proposed by the House.

DEFENSE NUCLEAR WASTE DISPOSAL

Amendment No. 48: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate that establishes a Defense Nuclear Waste Disposal appropriation of $100,000,000. These funds will provide for the Department's cost for the disposal of defense high level waste in a Federal nuclear waste repository.

DEPARTMENTAL ADMINISTRATION

The conferees strongly support the Department's efforts to improve financial and project management. Ongoing reviews have resulted in the identification and correction of irregular financial management practices. The conferees believe that a significant expansion of the Chief Financial Officer's financial examination and audit program under the Federal Financial Managers Act would provide substantial benefits in improving financial management and accountability.

The conferees have provided the budget request of $1,300,000 for the reduced enrichment test reactor program. The Department is directed to prepare a report which provides a full description of all research and test reactors in foreign countries which could be converted to use low enriched uranium, the interest of each country in the conversion program, and a schedule and total cost estimate by year for the fuel development program. This report should be available for review during the hearings on the Department's fiscal year 1994 budget.

POWER MARKETING ADMINISTRATIONS

BONNEVILLE POWER ADMINISTRATION

The conferees have provided $417,100,000 in new borrowing authority for fiscal year 1993 for the Bonneville Power Administration (BPA). This amount includes $44,300,000 in upfront funding from the non-Federal participants in the Third A.C. Intertie since it is unlikely that non-Federal funds will be available soon enough in fiscal year 1993 for BPA to incur the planned obligations. When BPA receives the $44,300,000 from the non-Federal participants, the conferees expect these funds to be used to reduce BPA's outstanding debt to the Treasury.

Each year Bonneville's budget request for new borrowing authority is reviewed and approved by the Congress. The conferees expect Bonneville to adhere to the total amount of new borrowing authority provided by the conference agreement, and expect to be informed of any exceptional circumstances which would necessitate the need for BPA to borrow in excess of this amount.

WESTERN AREA POWER ADMINISTRATION

Amendment No. 49: Appropriates $326,634,000 as proposed by the House instead of $336,634,000 as proposed by the Senate.

FEDERAL ENERGY REGULATORY COMMISSION

Amendment No. 50: Appropriates $158,639,000 for salaries and expenses of the Federal Energy Regulatory Commission as proposed by the Senate instead of $142,801,000 as proposed by the House.

Amendment No. 51: Appropriates $158,639,000 for revenues of the Federal Energy Regulatory Commission as proposed by the Senate instead of $142,801,000 as proposed by the House.

GENERAL PROVISIONS—DEPARTMENT OF ENERGY

Amendment No. 52: Deletes language proposed by the Senate concerning the use of trust funds for the Superconducting Super Collider.

Amendment No. 53: Deletes language proposed by the Senate concerning implementation of an environmental restoration management contract at the Hanford, Washington, site.

Amendment No. 54: Deletes language proposed by the Senate concerning the acquisition of components for the Superconducting Super Collider.

Department of Energy

	Budget Estimate	Conference
ENERGY SUPPLY RESEARCH AND DEVELOPMENT		
I. Solar applications		
A. Solar building technology research - OE	2,000,000	3,000,000
B. Photovoltaic energy systems		
Operating expenses	62,500,000	64,500,000
Capital equipment	1,000,000	1,000,000
Subtotal, Photovoltaic energy systems	63,500,000	65,500,000
C. Solar thermal energy systems		
Operating expenses	26,900,000	26,900,000
Capital equipment	100,000	100,000
Subtotal, Solar thermal energy systems	27,000,000	27,000,000
D. Biofuels energy systems		
Operating expenses	44,800,000	44,800,000
Capital equipment	3,550,000	3,550,000
Subtotal, Biofuels energy systems	48,350,000	48,350,000
E. Wind energy systems		
Operating expenses	21,100,000	23,100,000
Capital equipment	900,000	900,000
Subtotal, Wind energy systems	22,000,000	24,000,000
F. Ocean energy systems - OE	---	1,000,000
Subtotal, Solar applications	162,850,000	168,850,000

Department of Energy

	Budget Estimate	Conference
II. Other solar energy		
A. International solar energy program - OE	2,000,000	2,000,000
B. Solar technology transfer - OE	2,000,000	2,000,000
C. National Renewable Energy Laboratory		
Capital equipment	50,000	50,000
Construction:		
General plant projects	2,348,000	2,348,000
91-E-100 Solar energy research facility SERF	4,157,000	4,157,000
Subtotal, Construction	6,505,000	6,505,000
Subtotal, National Renewable Energy Laboratory	6,555,000	6,555,000
D. Resource assessment		
Operating expenses	1,110,000	1,110,000
Capital equipment	90,000	90,000
Subtotal, Resource assessment	1,200,000	1,200,000
E. Program support - OE	948,000	948,000
F. Program direction - OE	5,872,000	5,872,000
Subtotal, Other solar energy	18,575,000	18,575,000
TOTAL, SOLAR ENERGY	181,425,000	187,425,000
(Operating expenses)	(169,230,000)	(175,230,000)
(Capital equipment)	(5,690,000)	(5,690,000)
(Construction)	(6,505,000)	(6,505,000)

Department of Energy

	Budget Estimate	Conference
GEOTHERMAL		
II. Geothermal technology development - OE	22,500,000	21,500,000
III. Program direction - OE	1,000,000	1,000,000
IV. Capital equipment	900,000	900,000
TOTAL, GEOTHERMAL	24,400,000	23,400,000
(Operating expenses)	(23,500,000)	(22,500,000)
(Capital equipment)	(900,000)	(900,000)
HYDROPOWER		
I. Small scale hydropower development - OE	960,000	960,000
II. Program direction - OE	90,000	90,000
TOTAL, HYDROPOWER	1,050,000	1,050,000
ELECTRIC ENERGY SYSTEMS AND STORAGE		
I. Electric energy systems		
A. Electric field effects research - OE	7,500,000	6,000,000
B. Reliability research - OE	3,100,000	3,100,000
C. System and materials research - OE	21,900,000	21,900,000
D. Program direction - OE	700,000	700,000
E. Capital equipment	600,000	600,000
Subtotal, Electric energy systems	33,800,000	32,300,000
II. Energy storage systems		
A. Battery storage - OE	4,000,000	4,000,000
B. Thermal and chemical storage - OE	1,500,000	5,500,000
C. Program direction - OE	500,000	500,000
D. Capital equipment	300,000	300,000
Subtotal, Energy storage systems	6,300,000	10,300,000
TOTAL, ELECTRIC ENERGY SYSTEMS AND STORAGE	40,100,000	42,600,000
(Operating expenses)	(39,200,000)	(41,700,000)
(Capital equipment)	(900,000)	(900,000)

Department of Energy

	Budget Estimate	Conference
NUCLEAR		
I. Nuclear energy R & D		
A. Light water reactor - OE	58,700,000	58,700,000
B. Advanced reactor R & D		
Operating expenses	49,039,000	59,039,000
Capital equipment	1,000,000	1,000,000
Subtotal, Advanced reactor R & D	50,039,000	60,039,000
C. Space reactor power systems		
Operating expenses	30,000,000	30,000,000
D. Advanced radioisotope power system		
Operating expenses	46,840,000	45,000,000
Capital equipment	5,000,000	5,000,000
Subtotal, Advanced radioisotope power system	51,840,000	50,000,000
E. Space exploration initiative		
Operating expenses	10,000,000	---

Department of Energy

	Budget Estimate	Conference
F. Facilities		
Operating expenses	89,665,000	88,665,000
Capital equipment	2,200,000	2,200,000
Construction:		
GPN-102 GPP	1,365,000	1,365,000
93-E-200 Modifications to reactors	300,000	300,000
93-E-202 Analytical Lab. upgrades, ANL	1,500,000	1,500,000
89-N-115 Fire safety improvements, ANL	35,000	35,000
Subtotal, Construction	3,200,000	3,200,000
Subtotal, Facilities	95,065,000	94,065,000
G. Program direction - OE	13,950,000	13,950,000
Subtotal, Nuclear energy R & D	309,594,000	306,754,000
(Operating expenses)	(298,194,000)	(295,354,000)
(Capital equipment)	(8,200,000)	(8,200,000)
(Construction)	(3,200,000)	(3,200,000)
II. Civilian waste R & D		
A. Spent fuel storage R&D - OE	590,000	4,590,000
B. Program direction - OE	110,000	110,000
Subtotal, Civilian waste R & D	700,000	4,700,000
TOTAL, NUCLEAR	310,294,000	311,454,000
(Operating expenses)	(298,894,000)	(300,054,000)
(Capital equipment)	(8,200,000)	(8,200,000)
(Construction)	(3,200,000)	(3,200,000)

Department of Energy

	Budget Estimate	Conference
ENVIRONMENT, SAFETY AND HEALTH		
I. Environment, safety and health		
Operating expenses	165,070,000	158,070,000
Capital equipment	1,600,000	1,600,000
TOTAL, ENVIRONMENT, SAFETY AND HEALTH	166,670,000	159,670,000
OFFICE OF NUCLEAR SAFETY		
I. Nuclear safety		
Operating expenses	20,490,000	---
Capital equipment	50,000	---
TOTAL, OFFICE OF NUCLEAR SAFETY	20,540,000	---
LIQUIFIED GASEOUS SPILL TEST FACILITY		
I. Spill test facility - OE	---	1,000,000

Department of Energy

	Budget Estimate	Conference
ENVIRONMENT R & D		
I. Biological and environmental research		
Operating expenses	344,700,000	344,700,000
Capital equipment	27,500,000	27,500,000
Construction:		
GP-E-120 General plant projects	3,500,000	3,500,000
93-E-337 Structural biology addition, NSLS	1,800,000	1,800,000
91-E-310 Biomedical isotope facility	600,000	600,000
Subtotal, Construction	5,900,000	5,900,000
Subtotal, Biological and environmental research	378,100,000	378,100,000
II. Program direction - OE	6,600,000	6,600,000
General reduction	---	-28,000,000
TOTAL, ENVIRONMENT R & D	384,700,000	356,700,000
(Operating expenses)	(351,300,000)	(323,300,000)
(Capital equipment)	(27,500,000)	(27,500,000)
(Construction)	(5,900,000)	(5,900,000)

Department of Energy

	Budget Estimate	Conference
FUSION		
I. Fusion energy		
A. Confinement systems	182,780,000	182,780,000
B. Development and technology	67,550,000	67,550,000
C. Applied plasma physics	62,450,000	62,450,000
D. Planning and projects	4,800,000	4,800,000
E. Inertial fusion energy	8,150,000	8,150,000
F. Program direction - OE	8,800,000	8,800,000
G. Capital equipment	20,980,000	20,980,000
H. Construction:		
GPE-900 General plant projects, var. locations	2,000,000	2,000,000
Infrastructure:		
92-E-340 Fire & safety protection improve, PPPL	2,200,000	2,200,000
Subtotal, Construction	4,200,000	4,200,000
General reduction	---	-20,000,000
Total, Fusion energy	359,710,000	339,710,000
(Operating expenses)	(334,530,000)	(314,530,000)
(Capital equipment)	(20,980,000)	(20,980,000)
(Construction)	(4,200,000)	(4,200,000)

Department of Energy

	Budget Estimate	Conference
SUPPORTING RESEARCH AND TECHNICAL ANALYSIS		
I. Basic energy sciences		
A. Materials sciences	290,227,000	290,227,000
B. Chemical sciences	175,400,000	175,400,000
C. Applied mathematical sciences	91,000,000	91,000,000
D. Engineering and geosciences	39,540,000	39,540,000
E. Advanced energy projects	11,900,000	11,900,000
F. Energy biosciences	27,600,000	27,600,000
G. Program direction - OE	8,400,000	8,400,000
H. Capital equipment	46,300,000	46,300,000
I. Construction:		
GPE-400 General plant projects	5,500,000	5,500,000
93-E-305 Accelerator and reactor improvements	7,626,000	7,626,000
89-R-402 6-7 GeV syn. radiation source, ANL	110,407,000	110,407,000
Facilities	---	94,800,000
Subtotal, Construction	123,533,000	218,333,000
General reduction	---	-49,000,000
Subtotal, Basic energy sciences	813,900,000	859,700,000
(Operating expenses)	(644,067,000)	(595,067,000)
(Capital equipment)	(46,300,000)	(46,300,000)
(Construction)	(123,533,000)	(218,333,000)

Department of Energy

	Budget Estimate	Conference
II. Energy oversight, research analy. and univ support		
A. Energy research analyses - OE	4,020,000	4,020,000
B. University and science education programs - OE		
1. Laboratory coop science centers	36,563,000	25,563,000
2. University program	9,750,000	20,750,000
3. University reactor fuel assistance	3,730,000	3,730,000
4. University research instrumentation	5,647,000	5,647,000
Subtotal, University & science education programs	55,690,000	55,690,000
C. ER laboratory tech transfer	15,080,000	10,080,000
D. Advisory and oversight - OE	16,218,000	10,218,000
Subtotal, Energy oversight, res analy, and univ sup	91,008,000	80,008,000
III. Multiprogram energy laboratories - facility sup		
A. Multiprogram general purpose facilities		
Construction:		
Infrastructure:		
93-E-310 Upgrade site mech util, ph II (LBL)	800,000	800,000
93-E-311 Upgrade lab space support sys.(ANL)	3,080,000	3,080,000
93-E-313 Elec system upgrade, phase II (ANL)	3,000,000	3,000,000
93-E-314 Sitewide conv. substation feeder (SLAC)	2,220,000	2,220,000
93-E-316 Underground power & comm system upgrade phase I (BNL)	1,400,000	1,400,000
93-E-325 Potable water system upgrade phase I (BNL)	3,500,000	3,500,000
93-E-326 Lab addition Building 205 (ANL)	620,000	620,000

Department of Energy

	Budget Estimate	Conference
93-E-327 Safety & support services fac (LBL)	2,980,000	2,980,000
93-E-328 Central research & support building (ORNL)	4,400,000	4,400,000
93-E-329 Roofing improvements (ORNL)	4,024,000	4,024,000
93-E-332 Materiels handling center (BNL)	3,270,000	3,270,000
93-E-333 Applied science center-phase I(BNL)	500,000	500,000
93-E-336 HVAC mech sys upgr phase I (PNL)	1,000,000	1,000,000
92-E-309 Sanitary system mod phase I - (BNL)	2,762,000	2,762,000
92-E-312 Roof replacement - phase I - (LBL)	500,000	500,000
92-E-321 Fire safety improve (ANL)	1,117,000	1,117,000
92-E-322 East canyon electrical safety (LBL)	1,507,000	1,507,000
92-E-323 Upgrade steam distrib. (ORNL)	5,607,000	5,607,000
92-E-324 Safety comp. mods., 326 bldg (PNL)	6,000,000	6,000,000
92-E-329 Electrical substation upgrade (ANL)	4,470,000	4,470,000
92-E-328 Tec. & admin. ser. fac (AMES)	1,557,000	1,557,000
91-E-323 Building 90 seism rehab (LBL)	422,000	422,000
90-R-112 Measurements and controls support facility, ORNL	464,000	464,000
88-R-806 Environmental health & safety project, LBL	1,500,000	1,500,000
Subtotal, Multiprogram general purpose facilities	56,700,000	56,700,000

Department of Energy

	Budget Estimate	Conference
B. Multiprogram energy labs - tiger team report		
Capital equipment	3,000,000	3,000,000
Construction:		
Infrastructure:		
93-E-315 Roof replacement, Phase I (BNL)	1,130,000	1,130,000
93-E-317 Life safety code compliance (PNL)	1,000,000	1,000,000
93-E-320 Fire & safety improvements Phase II (ANL)	1,870,000	1,870,000
93-E-323 Fire & safety system upgrade Phase I (LBL)	1,500,000	1,500,000
93-E-324 Hazardous materials safeguards Phase I (LBL)	1,500,000	1,500,000
Subtotal, Construction	7,000,000	7,000,000
Subtotal, Multiprogram energy labs - tiger team	10,000,000	10,000,000
General reduction	---	-40,000,000
Subtotal, Multiprogram energy laboratories - fac sup	66,700,000	26,700,000
(Capital equipment)	(3,000,000)	(3,000,000)
(Construction)	(63,700,000)	(63,700,000)
TOTAL, SUPPORTING RESEARCH AND TECHNICAL ANALYSIS	971,608,000	966,408,000
(Operating expenses)	(735,075,000)	(635,075,000)
(Capital equipment)	(49,300,000)	(49,300,000)
(Construction)	(187,233,000)	(282,033,000)

Department of Energy

	Budget Estimate	Conference
POLICY AND MANAGEMENT		
I. Policy and management		
A. Policy and management - ER	1,913,000	1,913,000
B. Policy and management - NE	35,100,000	35,100,000
C. Policy and management - CE	2,859,000	2,859,000
TOTAL, POLICY AND MANAGEMENT	39,872,000	39,872,000

Department of Energy

	Budget Estimate	Conference
ENERGY APPLICATIONS		
I. Technical information management program		
Operating expenses	14,300,000	14,300,000
Capital equipment	700,000	700,000
Subtotal, Technical information management program	15,000,000	15,000,000
II. In-house energy management		
Operating expenses	3,590,000	3,590,000
Construction:		
IHE - 500 Modifications for energy mgmt	17,360,000	17,360,000
Subtotal, In-house energy management	20,950,000	20,950,000
TOTAL, ENERGY APPLICATIONS	35,950,000	35,950,000

Department of Energy

	Budget Estimate	Conference
ENVIRONMENTAL RESTORATION AND WASTE MGMT (NON-DEFENSE)		
I. Corrective activities		
A. Nuclear energy		
Operating expenses	247,000	247,000
B. Energy research		
Operating expenses	1,193,000	1,193,000
Construction:		
92-E-601 Melton Valley LLLW collection and transfer system upgrade (ORNL)	15,900,000	15,900,000
91-E-307 Remedial alternative for 800 area sanitary landfill, (ANL)	501,000	501,000
91-E-601 Canal water treatment plant/rehabilitation (ANL)	827,000	827,000
Infrastructure:		
91-E-304 Sanit wastewater treatment plant improvements, (ANL)	532,000	532,000
Subtotal, Construction	17,760,000	17,760,000
Subtotal, Energy research	18,953,000	18,953,000
Subtotal, Corrective activities	19,200,000	19,200,000
(Operating expenses)	(1,440,000)	(1,440,000)
(Construction)	(17,760,000)	(17,760,000)

Department of Energy

	Budget Estimate	Conference
II. Environmental restoration		
Operating expenses:		
1. Facilities and sites	215,241,000	215,241,000
2. Formerly utilized sites, remedial action projects	40,900,000	40,900,000
3. Uranium program mill tailings, remedial action projects	143,100,000	143,100,000
4. Uranium mill tailings, groundwater restoration project	4,600,000	4,600,000
Subtotal, Environmental restoration	403,841,000	403,841,000
(Operating expenses)	(403,841,000)	(403,841,000)
III. Waste management		
Operating expenses:		
1. Waste operations	107,875,000	107,875,000
2. West valley	134,000,000	134,000,000
3. Low level waste	9,000,000	9,000,000
Subtotal, Operating expenses	250,875,000	250,875,000
Capital equipment	5,027,000	5,027,000
Construction:		
GP-E-600 General plant projects	18,768,000	18,768,000
93-E-631 Hazardous waste management upgrade II, BNL	700,000	700,000
93-E-632 Laboratory floor drain collection system upgrades, BNL	959,000	959,000
93-E-633 Upgrade sanitary sewer system (ORNL)	2,000,000	2,000,000
93-E-900 Long-term storage TMI-2 fuel, INEL	---	2,720,000
91-E-305 Waste minimization fac. upgrade (BNL)	53,000	53,000
91-E-306 Hazardous waste treatment fac. (PNL)	102,000	102,000
91-E-600 Rehab of waste management bld 306, ANL	1,729,000	1,729,000
91-E-602 Hazardous, radioactive and mixed waste storage facility (ANL)	1,231,000	1,231,000

Department of Energy

	Budget Estimate	Conference
Infrastructure:		
91-E-322 329 Building compliance (PNL).....	2,489,000	2,489,000
Subtotal, Construction.....	28,031,000	30,751,000
Subtotal, Waste management.....	283,933,000	286,653,000
(Operating expenses).....	(250,875,000)	(250,875,000)
(Capital equipment).....	(5,027,000)	(5,027,000)
(Construction).....	(28,031,000)	(30,751,000)
TOTAL, ENVIRON RESTOR AND WASTE MGMT (NON-DEFENSE)....	706,974,000	709,694,000
(Operating expenses).....	(656,156,000)	(656,156,000)
(Capital equipment).....	(5,027,000)	(5,027,000)
(Construction).....	(45,791,000)	(48,511,000)
Subtotal, Energy supply research and development.....	3,243,293,000	3,174,933,000
Lease purchase adjustment.....	1,560,000	1,560,000
Use of prior year balances.....	-34,000,000	-104,300,000
Education programs.....	-22,400,000	-52,400,000
Geothermal resources development fund.....	---	-4,000,000
TOTAL, ENERGY SUPPLY RESEARCH AND DEVELOPMENT.....	3,188,453,000	3,015,793,000
(Operating expenses).....	(2,797,417,000)	(2,527,287,000)
(Capital equipment).....	(120,847,000)	(120,797,000)
(Construction).....	(270,189,000)	(367,709,000)

Department of Energy

	Budget Estimate	Conference
URANIUM ENRICHMENT		
I. Uranium enrichment activities		
A. Gaseous diffusion operations and support		
Operating expenses	1,013,681,000	1,013,681,000
Capital equipment	10,100,000	10,100,000
Construction:		
GP-N-501 GPP	9,000,000	9,000,000
93-U-200 UF6 cylinders and storage yards	5,863,000	5,863,000
92-U-200 Sanitary water system upgrading	4,500,000	4,500,000
91-U-201 Refurbish int. purge fac., GDP, Portsmouth	2,000,000	2,000,000
91-U-207 Roof upgrading, GDP, Portsmouth	11,000,000	11,000,000
91-U-208 S & S upgrading, GDP, Portsmouth	3,950,000	3,950,000
90-N-501 Cooling tower mods	1,496,000	1,496,000
89-N-501 UF6 cylinders	1,723,000	1,723,000
87-N-502 Coding tower upgrade, GDP, Paducah	1,300,000	1,300,000
Subtotal, Construction	40,832,000	40,832,000
Subtotal, Gaseous diffusion operations and support	1,064,613,000	1,064,613,000
B. Atomic vapor laser isotope separation		
Operating expenses	97,700,000	67,700,000
Capital equipment	2,000,000	2,000,000
Construction:		
GP-N-600 General plant projects	300,000	300,000
Subtotal, Atomic vapor laser isotope separation	100,000,000	70,000,000

Department of Energy

	Budget Estimate	Conference
D. Corrective activities		
Operating expenses	4,316,000	4,316,000
Construction:		
GP-N-205 General plant projects	1,450,000	1,450,000
91-U-206 Reduction of PCB contamination	23,981,000	23,981,000
Subtotal, Construction	25,431,000	25,431,000
Subtotal, Corrective activities	29,747,000	29,747,000
E. Environmental restoration - OE	155,700,000	155,700,000
F. Waste management		
Operating expenses	26,220,000	26,220,000
Construction:		
GP-N-210 General plant projects	3,800,000	3,800,000
93-U-201 Solid waste landfill	400,000	400,000
93-U-202 Mixed waste storage	1,000,000	1,000,000
Subtotal, Construction	5,200,000	5,200,000
Subtotal, Waste management	31,420,000	31,420,000
G. Program direction - OE	9,840,000	9,840,000
Subtotal, Uranium enrichment activities	1,391,320,000	1,361,320,000
(Operating expenses)	(1,307,457,000)	(1,277,457,000)
(Capital equipment)	(12,100,000)	(12,100,000)
(Construction)	(71,763,000)	(71,763,000)

Department of Energy

	Budget Estimate	Conference
Revenues	-1,462,000,000	-1,462,000,000
Use of prior year balances	---	-75,000,000
TOTAL, URANIUM ENRICHMENT ACTIVITIES	-70,680,000	-175,680,000
(Operating expenses)	(-154,543,000)	(-259,543,000)
(Capital equipment)	(12,100,000)	(12,100,000)
(Construction)	(71,763,000)	(71,763,000)

Department of Energy

	Budget Estimate	Conference
GENERAL SCIENCE AND RESEARCH		
I. High energy physics		
A. Physics research - OE	145,900,000	145,900,000
B. Facility operations		
Operating expenses	281,909,000	281,909,000
Capital equipment	69,090,000	69,090,000
Construction:		
GP-E-103 General plant projects, various locations	12,835,000	12,835,000
93-G-301 Accelerator improvements & mods	15,095,000	15,095,000
92-G-302 Fermilab main injector	30,000,000	15,000,000
Subtotal, Construction	57,930,000	42,930,000
Subtotal, Facility operations	408,929,000	393,929,000
C. High energy technology - OE	69,425,000	69,425,000
D. SSC laboratory research - OE	2,500,000	---
E. Other capital equipment	4,130,000	4,130,000
Subtotal, High energy physics	630,884,000	613,384,000
(Operating expenses)	(499,734,000)	(497,234,000)
(Capital equipment)	(73,220,000)	(73,220,000)
(Construction)	(57,930,000)	(42,930,000)

Department of Energy

	Budget Estimate	Conference
II. Nuclear physics		
A. Medium energy physics - OE	111,400,000	58,000,000
B. Heavy ion physics - OE	67,900,000	67,900,000
C. Low energy physics - OE	26,100,000	26,100,000
D. Nuclear theory - OE	14,800,000	14,800,000
E. Capital equipment	30,330,000	29,330,000
F. Construction:		
GP-E-300 General plant projects, various locations	3,500,000	3,500,000
93-G-302 Accelerator improvements & mods	3,200,000	3,200,000
91-G-300 Relativistic heavy ion collider	71,400,000	71,400,000
87-R-203 Continuous electron beam accelerator facility, Newport News, VA	33,000,000	33,000,000
Subtotal, Construction	111,100,000	111,100,000
G. Other capital equipment - CE	1,870,000	1,870,000
Subtotal, Nuclear physics	363,500,000	309,100,000
(Operating expenses)	(220,200,000)	(166,800,000)
(Capital equipment)	(32,200,000)	(31,200,000)
(Construction)	(111,100,000)	(111,100,000)

Department of Energy

	Budget Estimate	Conference
III. General science program direction - OE	8,300,000	8,300,000
IV. Superconducting super collider		
Operating expenses	116,828,000	116,828,000
Capital equipment	63,000,000	63,000,000
Construction:		
90-R-106 Superconducting super collider	470,172,000	370,172,000
General reduction	---	-33,000,000
Subtotal, Superconducting super collider	650,000,000	517,000,000
Use of prior year balances	---	-30,000,000
TOTAL, GENERAL SCIENCE AND RESEARCH	1,652,684,000	1,417,784,000
(Operating expenses)	(845,062,000)	(726,162,000)
(Capital equipment)	(168,420,000)	(167,420,000)
(Construction)	(639,202,000)	(524,202,000)

Department of Energy

	Budget Estimate	Conference
ISOTOPE PRODUCTION AND DISTRIBUTION FUND		
Isotope production	1,500,000	5,000,000

Department of Energy

	Budget Estimate	Conference
ATOMIC ENERGY DEFENSE ACTIVITIES		
WEAPONS ACTIVITIES		
I. Research and development		
A. Research and development - core		
Operating expenses	1,044,600,000	1,098,100,000
Capital equipment	83,120,000	84,120,000
Construction:		
GPD-101 General plant projects, various locations	21,000,000	21,000,000
Infrastructure:		
92-D-102 Nuclear weapons research, development and testing facilities revitalization, phase IV, various locations	35,000,000	35,000,000
90-D-102 Nuclear weapons research, development, and testing facilities revitalization, phase III, various locations	50,120,000	50,120,000
88-D-106 Nuclear weapons research, development, and testing facilities revitalization, phase II, various locations	34,400,000	34,400,000
Subtotal, Infrastructure	119,520,000	119,520,000
Subtotal, Construction	140,520,000	140,520,000
Subtotal, Research and development - core	1,268,240,000	1,322,740,000
B. Inertial fusion		
Operating expenses	174,300,000	181,300,000
Capital equipment	20,700,000	31,010,000
Subtotal, Inertial fusion	195,000,000	212,310,000

Department of Energy

	Budget Estimate	Conference
C. Safeguards and security		
Construction:		
Infrastructure:		
88-D-104 Safeguards and security upgrade, phase II, LANL, Los Alamos, NM	1,000,000	1,000,000
Subtotal, Research and development	1,464,240,000	1,536,050,000
II. Testing		
A. Weapons program		
Operating expenses	429,500,000	375,000,000
Capital equipment	31,100,000	31,100,000
Construction:		
GP-D-101 General plant projects, various locations	7,650,000	7,650,000
Infrastructure:		
93-D-102 Nevada support facility, North Las Vegas, NV	2,000,000	2,000,000
Subtotal, Construction	9,650,000	9,650,000
Subtotal, Weapons program	470,250,000	415,750,000

Department of Energy

	Budget Estimate	Conference
B. Safeguards and security		
Construction:		
Infrastructure:		
85-D-105 Combined device assembly facility, Nevada Test Site, NV	3,610,000	3,610,000
Subtotal, Testing	473,860,000	419,360,000
Subtotal, Research, development and testing	1,938,100,000	1,955,410,000
(Operating expenses)	(1,648,400,000)	(1,654,400,000)
(Capital equipment)	(134,920,000)	(146,230,000)
(Construction)	(154,780,000)	(154,780,000)
III. Production and surveillance		
Operating expenses	2,172,600,000	2,142,600,000
Capital equipment	80,685,000	80,685,000
Construction:		
Production base:		
Facilities capability assurance program:		
Infrastructure:		
88-D-122 Facilities capability assurance program (FCAP), various locations	87,100,000	87,100,000
Production support facilities:		
GPD-121 General plant projects, various locations	27,350,000	27,350,000
86-D-130 Tritium loading facility replacement, Savannah River Plant, Aiken, SC	4,865,000	4,865,000
Subtotal, Production support facilities	32,215,000	32,215,000
Subtotal, Production base - construction	119,315,000	119,315,000

Department of Energy

	Budget Estimate	Conference
Environment, safety and health:		
93-D-122 Life safety upgrades, Y-12 Plant, Oak Ridge, TN	2,700,000	2,700,000
Infrastructure:		
92-D-122 Health, physics/environmental projects, RFP, Golden, CO	5,300,000	5,300,000
92-D-123 Plant fire/security alarm system replacement, RFP, Golden, CO	8,700,000	8,700,000
92-D-126 Replace emergency notification systems, various locations	10,900,000	10,900,000
90-D-126 Environmental, safety and health enhancements, various locations	9,200,000	9,200,000
91-D-127 Criticality alarm and production annunciation utility replacement, Rocky Flats Plant, Golden, CO	6,300,000	6,300,000
Subtotal, Infrastructure	40,400,000	40,400,000
Subtotal, Environment, safety and health	43,100,000	43,100,000
Subtotal, Construction	162,415,000	162,415,000
Use of prior year balances (Operating expenses)	---	-26,570,000
Use of prior year balances (Plant & capital equipment)	---	-15,500,000
Subtotal, Production and surveillance	2,415,700,000	2,343,630,000

Department of Energy

	Budget Estimate	Conference
IV. Program direction		
Operating expenses	325,909,000	325,909,000
Capital equipment	3,930,000	3,930,000
Construction:		
93-D-123 Complex - 21, various locations	26,000,000	26,000,000
Subtotal, Program direction	355,839,000	355,839,000
Use of prior year balances	-87,550,000	-86,130,000
TOTAL, WEAPONS ACTIVITIES	4,622,089,000	4,568,749,000
(Operating expenses)	(4,059,359,000)	(4,010,209,000)
(Capital equipment)	(219,535,000)	(215,345,000)
(Construction)	(343,195,000)	(343,195,000)

Department of Energy

	Budget Estimate	Conference
NEW PRODUCTION REACTORS		
I. New production reactors		
Operating expenses	130,800,000	184,028,000
Use of prior year balances (Operating expenses)	---	-150,000,000
Use of prior year balances (Plant & capital equipment)	-126,772,000	---
TOTAL, NEW PRODUCTION REACTORS	4,028,000	34,028,000
(Operating expenses)	(130,800,000)	(34,028,000)
(Capital equipment)	---	---
(Construction)	(-126,772,000)	---

Department of Energy

	Budget Estimate	Conference
DEFENSE ENVIRONMENTAL RESTORATION AND WASTE MGMT		
I. Corrective activities		
A. Environmental management		
Operating expenses	2,431,000	2,431,000
Construction:		
GP-D-171 General plant projects	528,000	528,000
Subtotal, Environmental management	2,959,000	2,959,000
B. Defense programs		
Operating expenses	7,386,000	7,386,000
Capital equipment	1,120,000	1,120,000
Construction:		
GP-D-171 General plant projects	1,720,000	1,720,000
92-D-403 Tank upgrades project, LLNL	10,100,000	10,100,000
90-D-103 Environment, safety and health improvements, weapons R&D complex, LANL	6,315,000	6,315,000
Infrastructure:		
92-D-402 Sanitary sewer system rehab. LLNL	5,500,000	5,500,000
Subtotal, Construction	23,635,000	23,635,000
Subtotal, Defense programs	32,141,000	32,141,000
Subtotal, Corrective activities	35,100,000	35,100,000
(Operating expenses)	(9,817,000)	(9,817,000)
(Capital equipment)	(1,120,000)	(1,120,000)
(Construction)	(24,163,000)	(24,163,000)

Department of Energy

	Budget Estimate	Conference
II. Environmental restoration		
Operating expenses:		
1. Facilities and sites	1,448,427,000	1,448,427,000
III. Waste management		
Waste operations - OE	2,252,037,000	2,252,037,000
Capital equipment	132,749,000	132,749,000
Construction:		
GP-D-171 General plant projects	81,037,000	81,037,000
93-D-173 Long-term storage TMI-2 fuel, INEL	2,720,000	---
93-D-174 Plant drain waste water treatment upgrades, Y-12	1,800,000	1,800,000
93-D-175 Industrial waste compact fac., Y-12	2,200,000	2,200,000
93-D-176 Oak Ridge reservation storage facility, Oak Ridge, TN	4,000,000	4,000,000
93-D-177 Disposal of K-1515 sanitary water treatment plant waste, K-25	1,500,000	1,500,000
93-D-178 Building 374 liquid waste treatment facility, RF	2,700,000	2,700,000
93-D-180 Environmental monitoring-RCRA groundwater monitoring installation, RL	8,700,000	8,700,000
93-D-181 Radioactive waste line replacement, RL	350,000	350,000
93-D-182 Replace of cross-site trans system, RL	4,495,000	4,495,000
93-D-183 Multi-tank waste storage facility, RL.	10,300,000	10,300,000
93-D-184 325 facility compliance/renov., RL	1,500,000	1,500,000
93-D-186 200 area unsecured core area fabrication shop, RL	1,000,000	1,000,000
93-D-187 High level waste removal from filled waste tanks, SR	2,000,000	2,000,000
93-D-188 New sanitary landfill, SR	2,000,000	2,000,000

Department of Energy

	Budget Estimate	Conference
92-D-171 Mixed waste receiving and storage facility, LANL	3,000,000	3,000,000
92-D-172 Hazardous waste treatment and processing facility, Pantex Plant	1,900,000	1,900,000
92-D-173 NOx abatement facility, ID	7,000,000	7,000,000
92-D-177 Tank 101-AZ waste retrieval system, RL	3,000,000	3,000,000
92-D-180 Inter-Area line upgrade, SR	3,170,000	3,170,000
92-D-188 Waste management ES&H, and compliance activities, various locations	1,000,000	1,000,000
91-D-171 Waste receiving and processing facility, module 1, Richland, WA	21,800,000	21,800,000
91-D-172 High-level waste tank farm replacement, Idaho chemical processing plant, INEL, ID	57,530,000	57,530,000
91-D-173 Hazardous low-level waste processing tanks, Savannah River Site, SC	15,300,000	15,300,000
90-D-176 Transuranic (TRU) waste facility, Savannah River, SC	5,000,000	5,000,000
90-D-177 RWMC transuranic (TRU) waste characterization and storage facility, ID	41,700,000	41,700,000
89-D-122 Production waste storage facilities, Y-12 plant, Oak Ridge, TN	4,200,000	4,200,000
89-D-172 Hanford environmental compliance, Richland, WA	49,950,000	49,950,000
89-D-173 Tank farm ventilation upgrade, Richland, WA	7,000,000	7,000,000
89-D-174 Replacement high level waste evaporator, Savannah River, SC	15,795,000	15,795,000
89-D-175 Hazardous waste/mixed waste disposal facility, Savannah River, SC	7,900,000	7,900,000
88-D-173 Hanford waste vitrification plant (HWVP), Richland, WA	81,471,000	81,471,000
87-D-180 Buriel ground expansion, SR	8,800,000	8,800,000

Department of Energy

	Budget Estimate	Conference
87-D-181 Diversion box and pump pit containment buildings, Savannah River, SC.....	1,904,000	1,904,000
81-T-105 Defense waste processing facility, SR.....	32,600,000	32,600,000
86-D-103 Decontamination and waste treatment facility, LLNL, Livermore, CA.....	2,755,000	2,755,000
83-D-148 Non-radioactive hazardous waste management, Savannah River, SC.....	10,330,000	10,330,000

Department of Energy

	Budget Estimate	Conference
Infrastructure:		
93-D-172 Electrical upgrade, INEL	1,000,000	1,000,000
93-D-185 Landlord program safety compliance, phase II, RL	849,000	849,000
92-D-181 INEL Fire and life safety improvements ID	8,000,000	8,000,000
92-D-182 INEL sewer system upgrade, ID	3,700,000	3,700,000
92-D-183 INEL transportation complex, ID	5,860,000	5,860,000
92-D-184 Hanford infrastructure underground storage tanks, RL	3,700,000	3,700,000
92-D-185 Road, ground, and lighting safety improvements, 300/1100 areas, RL	6,500,000	6,500,000
92-D-187 300 area electrical distribution conversion & safety improvements, Phase II, RL	1,724,000	1,724,000
91-D-175 300 area electrical distribution conversion and safety improvements, Phase I, RL	981,000	981,000
90-D-174 Decontamination laundry facility, Richland, WA	7,442,000	7,442,000
90-D-175 Landlord program safety compliance-I, Richland, WA	4,753,000	4,753,000
Subtotal, Infrastructure	44,509,000	44,509,000
Subtotal, Construction	553,916,000	551,196,000
Subtotal, Waste management	2,938,702,000	2,935,982,000
(Operating expenses)	(2,252,037,000)	(2,252,037,000)
(Capital equipment)	(132,749,000)	(132,749,000)
(Construction)	(553,916,000)	(551,196,000)

Department of Energy

	Budget Estimate	Conference
IV. Technology development		
Operating expenses	300,700,000	320,700,000
Capital equipment	16,200,000	16,200,000
Construction:		
91-EM-100 Environmental & molecular sciences laboratory, Richland, Washington	28,500,000	28,500,000
Subtotal, Technology development	345,400,000	365,400,000
V. Transportation Management		
Operating expenses	19,335,000	19,335,000
Capital equipment	465,000	465,000
Subtotal, Transportation Management	19,800,000	19,800,000
VI. Facility transition		
Operating expenses	17,861,000	17,861,000
VII. Program direction		
Operating expenses	48,136,000	48,136,000
Capital equipment	2,664,000	2,664,000
Subtotal, Program direction	50,800,000	50,800,000
Subtotal, Defense Environ restoration and waste mgmt	4,856,090,000	4,873,370,000
Use of prior year balances	-30,598,000	-41,823,000
New Production Reactor balances	-20,000,000	---
TOTAL, DEFENSE ENVIRONMENTAL RESTOR AND WASTE MGMT	4,805,492,000	4,831,547,000
(Operating expenses)	(4,045,715,000)	(4,074,490,000)
(Capital equipment)	(153,198,000)	(153,198,000)
(Construction)	(606,579,000)	(603,859,000)

Department of Energy

	Budget Estimate	Conference
MATERIALS PRODUCTION AND OTHER DEFENSE PROGRAMS		
MATERIALS PRODUCTION		
I. Reactor operations		
Operating expenses	553,209,000	553,209,000
Construction:		
Environment, safety and health:		
Infrastructure:		
92-D-141 Reactor seismic improvement, Savannah River, SC	5,000,000	5,000,000
90-D-150 Reactor safety assurance, Phase I, II, and III, Savannah River, SC	4,210,000	4,210,000
Subtotal, Infrastructure	9,210,000	9,210,000
89-D-148 Improved reactor confinement system, Savannah River, SC	4,240,000	4,240,000
86-D-152 Reactor electrical distribution system, Savannah River, SC	5,647,000	5,647,000
85-D-145 Fuel production facility, Savannah River, SC	17,000,000	17,000,000
Subtotal, Construction	36,097,000	36,097,000
Subtotal, Reactor operations	589,306,000	589,306,000

Department of Energy

	Budget Estimate	Conference
II. Processing of nuclear materials		
Operating expenses	491,992,000	491,992,000
Construction:		
Environment, safety and health:		
Infrastructure:		
92-D-142 Nuclear material processing training center, Savannah River, SC	11,700,000	11,700,000
90-D-141 Idaho chemical processing plant fire protection, Idaho National Engineering Laboratory, Idaho Falls, ID	1,553,000	1,553,000
Subtotal, Infrastructure	13,253,000	13,253,000
92-D-140 F&H canyon exhaust upgrades, Savannah River, SC	12,500,000	12,500,000
Subtotal, Construction	25,753,000	25,753,000
Subtotal, Processing of nuclear materials	517,745,000	517,745,000

Department of Energy

	Budget Estimate	Conference
III. Supporting services		
Operating expenses	308,736,000	307,136,000
Construction:		
Programmatic projects:		
GP-D-146 General plant projects, various locations	32,260,000	32,260,000
93-D-148 Replace high level drain line Savannah River, SC	800,000	800,000
93-D-153 Uranium recovery hydrogen fluoride upgrade, Y-12 Plant, OR	2,400,000	2,400,000
Infrastructure:		
93-D-147 Domestic water system upgrades Phase I, Savannah River, SC	1,000,000	1,000,000
93-D-152 Environmental modification for production facilities, Savannah River, SC	2,000,000	2,000,000
92-D-150 Operations support facilities, Savannah River, SC	4,100,000	4,100,000
92-D-153 Engineering support facility, Savannah River, SC	3,500,000	3,500,000
86-D-149 Productivity retention program, Phases I, II, III, IV, V and VI, various locations	11,651,000	11,651,000
Subtotal, Infrastructure	22,251,000	22,251,000
Subtotal, Programmatic projects	57,711,000	57,711,000

Department of Energy

	Budget Estimate	Conference
Environment, safety and health:		
Infrastructure:		
92-D-143 Health Protection Instrumentation Calibration Facility, Savannah River, SC.....	8,000,000	8,000,000
90-D-149 Plant wide fire protection, phases I and II, Savannah River, SC.....	39,685,000	39,685,000
Subtotal, Environment, safety and health.....	47,685,000	47,685,000
Safeguards and security:		
Infrastructure:		
89-D-140 Additional separations safeguards, Savannah River, SC.....	13,104,000	13,104,000
Subtotal, Construction.....	118,500,000	118,500,000
Subtotal, Supporting services.....	427,236,000	425,636,000
V. Capital equipment.....	80,900,000	80,900,000
VI. Program direction.....	66,538,000	66,538,000
Subtotal, Materials Production.....	1,681,725,000	1,680,125,000
(Operating expenses).....	(1,420,475,000)	(1,418,875,000)
(Capital equipment).....	(80,900,000)	(80,900,000)
(Construction).....	(180,350,000)	(180,350,000)
General reduction.....	---	-5,000,000
Anticipated savings.....	---	-40,000,000
Use of prior year balances.....	---	-31,082,000
TOTAL, MATERIALS PRODUCTION.....	1,681,725,000	1,604,043,000
(Operating expenses).....	(1,420,475,000)	(1,342,793,000)
(Capital equipment).....	(80,900,000)	(80,900,000)
(Construction).....	(180,350,000)	(180,350,000)

Department of Energy

	Budget Estimate	Conference
OTHER NATIONAL SECURITY PROGRAMS		
I. Verification and control technology		
Operating expenses	406,215,000	301,215,000
Capital equipment	11,500,000	16,500,000
Construction:		
90-D-186 Center for national security and arms control, Sandia National Laboratories Albuquerque, NM	10,000,000	10,000,000
Subtotal, Verification and control technology	427,715,000	327,715,000
II. Nuclear safeguards and security		
Operating expenses	96,837,000	86,837,000
Capital equipment	5,327,000	5,327,000
Construction:		
GPD-186 General plant projects, Central Training Academy, Albuquerque, NM	2,000,000	2,000,000
Subtotal, Nuclear safeguards and security	104,164,000	94,164,000
III. Security investigations - OE	58,289,000	58,289,000
IV. Security evaluation		
Operating expenses	15,150,000	15,150,000
V. Office of Nuclear Safety		
Operating expenses	---	25,490,000
Capital equipment	---	50,000
Subtotal, Office of Nuclear Safety	---	25,540,000
TOTAL, OTHER NATIONAL SECURITY PROGRAMS	605,318,000	520,858,000
(Operating expenses)	(576,491,000)	(486,981,000)
(Capital equipment)	(16,827,000)	(21,877,000)
(Construction)	(12,000,000)	(12,000,000)

Department of Energy

	Budget Estimate	Conference
NAVAL REACTORS		
I. Naval reactors development		
A. Plant development - OE	105,000,000	105,000,000
B. Reactor development - OE	306,300,000	306,300,000
C. Reactor operation and evaluation - OE	206,000,000	206,000,000
D. Capital equipment	60,400,000	60,400,000
E. Construction		
GP-N-101 General plant projects, various locations	8,500,000	8,500,000
90-N-102 Expended core facility dry cell project, naval reactors facility, ID	13,600,000	13,600,000
90-N-103 Advanced test reactor off-gas treatment system, Idaho National Engineering Laboratory, ID	500,000	500,000
Infrastructure:		
93-D-200 Engineering services facilities Knolls Atomic Power Laboratory, Niskayuna, NY	2,200,000	2,200,000
92-D-200 Laboratories facilities upgrades, various locations	7,500,000	7,500,000
90-N-104 Facilities renovations, Knolls Atomic Power Laboratory, Niskayuna, NY	2,900,000	2,900,000
Subtotal, Infrastructure	12,600,000	12,600,000
Subtotal, Construction	35,200,000	35,200,000
F. Program direction	17,100,000	17,100,000
Subtotal, Naval reactors development	730,000,000	730,000,000

Department of Energy

	Budget Estimate	Conference
II. Enrichment materials		
Operating expenses	77,000,000	77,000,000
TOTAL, NAVAL REACTORS	807,000,000	807,000,000
(Operating expenses)	(711,400,000)	(711,400,000)
(Capital equipment)	(60,400,000)	(60,400,000)
(Construction)	(35,200,000)	(35,200,000)
Savannah river pension refund	-400,000,000	-400,000,000
Anticipated savings	-29,423,000	---
Education programs	22,400,000	52,400,000
TOTAL, MATERIALS PROD. AND OTHER DEF. PROGRAMS	2,687,020,000	2,584,301,000
(Operating expenses)	(2,301,343,000)	(2,193,574,000)
(Capital equipment)	(158,127,000)	(163,177,000)
(Construction)	(227,550,000)	(227,550,000)
Defense nuclear waste disposal	---	100,000,000
TOTAL, ATOMIC ENERGY DEFENSE ACTIVITIES	12,118,629,000	12,118,625,000
(Operating expenses)	(10,537,217,000)	(10,312,301,000)
(Capital equipment)	(530,860,000)	(531,720,000)
(Construction)	(1,050,552,000)	(1,174,604,000)

Department of Energy

	Budget Estimate	Conference
DEPARTMENTAL ADMINISTRATION		
I. Administrative operations		
A. Office of the secretary - salaries and expenses.	3,365,000	2,886,000
B. General management - personnel compensation and benefits	180,453,000	159,360,000
C. General management - other expenses		
1. Travel	6,809,000	5,477,000
2. Services	160,936,000	180,936,000
3. Capital equipment	9,225,000	6,862,000
Subtotal, Other expenses	176,970,000	193,275,000
D. Program support		
1. Policy analysis and system studies	6,687,000	4,351,000
2. Consumer affairs	49,000	47,000
3. Public affairs	200,000	55,000
4. International policy studies	2,960,000	1,660,000
5. Office of minority economic impact	3,701,000	3,640,000
Subtotal, Program support	13,597,000	9,753,000
Subtotal, Administrative operations	374,385,000	365,274,000
II. Cost of work for others	74,636,000	40,382,000
Subtotal, Departmental administration	449,021,000	405,656,000
Miscellaneous revenues	-318,381,000	-318,381,000
TOTAL, DEPARTMENTAL ADMINISTRATION	130,640,000	87,275,000
(Operating expenses)	(121,415,000)	(80,413,000)
(Capital equipment)	(9,225,000)	(6,862,000)

Department of Energy

	Budget Estimate	Conference
OFFICE OF THE INSPECTOR GENERAL		
Office of the inspector general.....	30,362,000	30,362,000

Department of Energy

	Budget Estimate	Conference
ALASKA POWER ADMINISTRATION		
I. Operation and maintenance		
A. Power marketing		
1. Operating expenses	3,777,000	3,777,000
2. Use of prior year balances	-200,000	-200,000
TOTAL, ALASKA POWER ADMINISTRATION	3,577,000	3,577,000
SOUTHEASTERN POWER ADMINISTRATION		
I. Operation and maintenance		
A. Power marketing		
1. Operating expenses	2,849,000	2,849,000
2. Purchase power and wheeling	23,786,000	31,562,000
3. Use of prior year balances	-2,000,000	-2,000,000
TOTAL, SOUTHEASTERN POWER ADMINISTRATION	24,635,000	32,411,000

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Department of Energy

	Budget Estimate	Conference
SOUTHWESTERN POWER ADMINISTRATION		
I. Operation and maintenance		
A. Power marketing		
1. Operating expenses	18,102,000	18,102,000
2. Purchase power and wheeling	7,333,000	7,333,000
3. Construction	10,659,000	10,659,000
4. Use of prior year balances	-14,187,000	-14,187,000
TOTAL, SOUTHWESTERN POWER ADMINISTRATION	21,907,000	21,907,000
WESTERN AREA POWER ADMINISTRATION		
I. Operation and maintenance		
A. Power marketing		
1. Construction and rehabilitation	112,790,000	112,790,000
2. System operation and maintenance	123,868,000	123,868,000
3. Purchase power and wheeling	115,293,000	115,293,000
4. Use of prior year balances	-4,800,000	-25,317,000
5. Transfer of permanent authority from Dept. of Interior (non-add)	(6,563,000)	(6,563,000)
TOTAL, WESTERN AREA POWER ADMINISTRATION	347,151,000	326,634,000

Department of Energy

	Budget Estimate	Conference
FEDERAL ENERGY REGULATORY COMMISSION		
Federal energy regulatory commission	163,639,000	158,639,000
FERC revenues	-163,639,000	-158,639,000
NUCLEAR WASTE DISPOSAL FUND		
Nuclear waste disposal fund	391,976,000	275,071,000
GEOTHERMAL RESOURCES DEVELOPMENT FUND		
Program direction	-4,000,000	---

Department of Energy

	Budget Estimate	Conference
ENERGY AND WATER DEVELOPMENT ACCOUNTS:		
Energy supply research and development		
Operating expenses	2,797,417,000	2,527,287,000
Plant and capital equipment	391,036,000	488,506,000
Total, Energy supply research and development	3,188,453,000	3,015,793,000
Uranium enrichment		
Operating expenses	1,307,457,000	1,202,457,000
Plant and capital equipment	83,863,000	83,863,000
Subtotal, Uranium enrichment	1,391,320,000	1,286,320,000
Revenues	-1,462,000,000	-1,462,000,000
Total, Uranium enrichment	-70,680,000	-175,680,000
General science and research activities		
Operating expenses	845,062,000	726,162,000
Plant and capital equipment	807,622,000	691,622,000
Total, General science and research activities	1,652,684,000	1,417,784,000
Isotope production and distribution fund	1,500,000	5,000,000

Department of Energy

	Budget Estimate	Conference
Atomic energy defense activities		
Weapons activities		
Operating expenses	4,059,359,000	4,010,209,000
Plant and capital equipment	562,730,000	558,540,000
Total, Weapons activities	4,622,089,000	4,568,749,000
New production reactors		
Operating expenses	130,800,000	34,028,000
Plant and capital equipment	-126,772,000	---
Total, New production reactors	4,028,000	34,028,000
Defense environmental restoration & waste mgmt.		
Operating expenses	4,045,715,000	4,074,490,000
Plant and capital equipment	759,777,000	757,057,000
Total, Def. environmental restor. & waste mgmt	4,805,492,000	4,831,547,000
Materials production and other defense programs		
Operating expenses	2,301,343,000	2,193,574,000
Plant and capital equipment	385,677,000	390,727,000
Total, Materials production & other def. programs	2,687,020,000	2,584,301,000
Defense nuclear waste disposal	---	100,000,000
Total, Atomic energy defense activities	12,118,629,000	12,118,625,000
Departmental administration		
Operating expenses	121,415,000	80,413,000
Plant and capital equipment	9,225,000	6,862,000
Total, Departmental administration	130,640,000	87,275,000
Office of the inspector general	30,362,000	30,362,000

Department of Energy

	Budget Estimate	Conference
Power marketing administrations:		
Alaska power administration	3,577,000	3,577,000
Southeastern power administration	24,635,000	32,411,000
Southwestern power administration	21,907,000	21,907,000
Western area power administration	347,151,000	326,634,000
Total, Power marketing administrations	397,270,000	384,529,000
Federal energy regulatory commission	---	---
Nuclear waste disposal fund	391,976,000	275,071,000
Geothermal resources development fund	-4,000,000	---
TOTAL, ENERGY AND WATER DEVELOPMENT ACCOUNTS	17,836,834,000	17,158,759,000

TITLE IV

INDEPENDENT AGENCIES

APPALACHIAN REGIONAL COMMISSION

Amendment No. 55: Appropriates $190,000,000 as proposed by the Senate instead of $185,000,000 as proposed by the House.

The conference agreement provides for only the following allocations of fiscal year 1993 funds.

A total of $36,000,000 is provided for corridor construction in Alabama, and a total of $47,000,000 is provided for Corridor L in West Virginia.

The conferees have provided $5,000,000 to initiate the design, engineering, and construction required for a water resources development project in Ritchie County, West Virginia, and $5,000,000 for a water resources development project in Cullman County, Alabama.

The conferees have provided $5,000,000 for local access roads in Mississippi including funds for the access road at Holly Springs, Mississippi.

The conferees have included $400,000 to continue the tourism development work being conducted in accordance with Senate report 101-378 accompanying the fiscal year 1991 appropriations Act.

TENNESSEE VALLEY AUTHORITY

Amendment No. 56: Deletes language proposed by the Senate limiting the funds which could be transferred from the Alabama Elk River Development Agency Trust fund.

The conference agreement provides $1,500,000 from the trust fund for the Elkmont Rural Village to be administered solely by the Alabama Elk River Development Agency. Of the remaining funds, up to $1,500,000 is available for the cooperative, cost-shared development of a Telecommunications Rural Application Center in a ten-county area of south central Tennessee and northern Alabama. Any funds remaining in the trust fund after providing for these activities are to be available for other TVA programs.

TITLE V

GENERAL PROVISIONS

Amendment No. 57: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment as follows:

In lieu of the matter stricken and inserted by said amendment, insert:

SEC. 507. (a) Hereafter, funds made available by this Act or any other Act for fiscal year 1993 or for any other fiscal year may be available for conducting a test of a nuclear explosive device only if the conduct of that test is permitted in accordance with the provisions of this section.

(b) No test of a nuclear weapon may be conducted before March 1, 1993.

(c) On and after March 1, 1993, a test of a nuclear weapon may be conducted—

(1) only if—

(A) the President has submitted the annual report required under subsection (d);

(B) 90 days have elapsed after the submittal of that report in accordance with that subsection; and

(C) Congress has not agreed to a joint resolution described in subsection (d)(3) within that 90-day period; and

(2) only if the test is conducted during the period covered by the report.

(d)(1) Not later than March 1, of each year beginning after 1992, the President shall submit to the Committees on Armed Services and Appropriations of the Senate and the House of Representatives, in classified and unclassified forms, a report containing the following matters:

(A) A schedule for resumption of the Nuclear Testing Talks with Russia.

(B) A plan for achieving a multilateral comprehensive ban on the testing of nuclear weapons on or before September 30, 1996.

(C) An assessment of the number and type of nuclear warheads that will remain in the United States stockpile of active nuclear weapons on September 30, 1996.

(D) For each fiscal year after fiscal year 1992, an assessment of the number and type of nuclear warheads that will remain in the United States stockpile of nuclear weapons and that—

(i) will not be in the United States stockpile of active nuclear weapons;

(ii) will remain under the control of the Department of Defense; and

(iii) will not be transferred to the Department of Energy for dismantlement.

(E) A description of the safety features of each warhead that is covered by an assessment referred to in subparagraph (C) or (D).

(F) A plan for installing one or more modern safety features in each warhead identified in the assessment referred to in subparagraph (C), as determined after an analysis of the costs and benefits of installing such feature or features in the warhead, should have one or more of such features.

(G) An assessment of the number and type of nuclear weapons tests, not to exceed 5 tests in any period covered by an annual report under this paragraph and a total of 15 tests in the 4-fiscal year period beginning with fiscal year 1993, that are necessary in order to ensure the safety of each nuclear warhead in which one or more modern safety features are installed pursuant to the plan referred to in subparagraph (F).

(H) A schedule, in accordance with subparagraph (G), for conducting at the Nevada test site, each of the tests enumerated in the assessment pursuant to subparagraph (G).

(2) The first annual report shall cover the period beginning on the date on which a resumption of testing of nuclear weapons is permitted under subsection (c) and ending on September 30, 1994. Each annual report thereafter shall cover the fiscal year following the fiscal year in which the report is submitted.

(3) For the purposes of paragraph (1), "joint resolution" means only a joint resolution introduced after the date on which the Committees referred to in that paragraph receive the report required by that paragraph the matter after the resolving clause of which is as follows: "The Congress disapproves the report of the President on nuclear weapons testing, dated ." (the blank space being appropriately filled in).

(4) No report is required under this subsection after 1996.

(e)(1) Except as provided in paragraphs (2) and (3), during a period covered by an annual report submitted pursuant to subsection (d), nuclear weapons may be tested only as follows:

(A) Only those nuclear explosive devices in which modern safety features have been installed pursuant to the plan referred to in subsection (d)(1)(F) may be tested.

(B) Only the number and types of tests specified in the report pursuant to subsection (d)(1)(G) may be conducted.

(2)(A) One test of the reliability of a nuclear weapon other than one referred to in paragraph (1)(A) may be conducted during any period covered by an annual report, but only if—

(i) within the first 60 days after the beginning of that period, the President certifies to Congress that it is vital to the national security interests of the United States to test the reliability of such a nuclear weapon; and

(ii) within the 60-day period beginning on the date that Congress receives the certification, Congress does not agree to a joint resolution described in subparagraph (B).

(B) For the purposes of subparagraph (A), "joint resolution" means only a joint resolution introduced after the date on which the Congress receives the certification referred to in that subparagraph the matter after the resolving clause of which is as follows: "The Congress disapproves the testing of a nuclear weapon covered by the certification of the President dated." (The blank space being appropriately filled in).

(3) The President may authorize the United Kingdom to conduct in the United States, within a period covered by an annual report, one test of a nuclear weapon if the President determines that it is in the national interests of the United States to do so. Such a test shall be considered as one of the tests within the maximum number of tests that the United States is permitted to conduct during that period under paragraph (1)(B).

(f) No underground test of nuclear weapons may be conducted by the United States after September 30, 1996, unless Russia or another country has conducted a nuclear explosive test after this date and such test is inimical to the security interests of the United States as certified by the President in written explanation to the Congress, and after 60 days have elapsed from the date of submission of the certification, the prohibition on United States nuclear testing is lifted.

In addition, no underground testing of nuclear weapons may be conducted by the United States after September 30, 1996, unless the President determines that it is in the urgent national interest for the purpose of safety only, to conduct nuclear explosive testing, and such certification and proposals thereon are included in the President's annual message and budget submitted to the Congress in January for the ensuing fiscal year: Provided, That such testing shall not occur until after October 1 of the fiscal year for which such certification and budget proposal are submitted.

(g) In the computation of the 90-day period referred to in subsection (c)(1) and the 60-day period referred to in subsection (e)(2)(A)(ii), the days on which either House is not in session because of an adjournment of more than 3 days to a day certain shall be excluded.

(h) In this section, the term "modern safety feature" means any of the following features:

(1) An insensitive high explosive (IHE).

(2) Fire resistant pits (FRP).

(3) An enhanced detonation safety (ENDS) system.

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

Amendment No. 58: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment as follows:

In lieu of the matter inserted by said amendment, insert the following:

SEC. 508. Notwithstanding any other provision of this Act, $5,000,000 of the funds appropriated in Title I shall be available for the Central Maine Water Supply Project, to remain available until September 30, 1993, and to become available only upon enactment into law of authorizing legislation.

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The conference agreement includes language proposed by the Senate that provides $5,000,000 for the Central Maine Water Supply Project, subject to authorization. The Senate language has been amended to delete the reference to Title II since the conferees understand that if this project is authorized, it will fall within the jurisdiction of the Corps of Engineers.

Amendment No. 59: Deletes language proposed by the Senate expressing the sense of the Senate on Low-Level Radioactive Waste Policy.

CONFERENCE TOTAL—WITH COMPARISONS

The total new budget (obligational) authority for the fiscal year 1993 recommended by the Committee of Conference, with comparisons to the fiscal year 1992 amount, the 1993 budget estimates, and the House and Senate bills for 1993 follow:

New budget (obligational) authority, fiscal year 1992	$21,839,500,000
Budget estimates of new (obligational), authority fiscal year 1993	22,419,288,000
House bill, fiscal year 1993	21,324,064,000
Senate bill, fiscal year 1993	22,005,446,000
Conference agreement, fiscal year 1993	22,005,643,000
Conference agreement compared with:	
New budget (obligational) authority, fiscal year 1992	+166,143,000
Budget estimates of new (obligational) authority, fiscal year 1993	−413,645,000
House bill, fiscal year 1993	+681,579,000
Senate bill, fiscal year 1993	+197,000

TOM BEVILL,
VIC FAZIO,
LINDSAY THOMAS,
JIM CHAPMAN,
DAVID E. SKAGGS, (except No. 37)
BERNARD J. DWYER,
JAMIE L. WHITTEN,
JOHN T. MYERS,
CARL D. PURSELL,
DEAN A. GALLO,
JOSEPH M. MCDADE,
Managers on the Part of the House.

J. BENNETT JOHNSTON,
ROBERT C. BYRD,
ERNEST F. HOLLINGS,
JIM SASSER,
DENNIS DECONCINI,
HARRY REID,
MARK O. HATFIELD,
JAKE GARN,
THAD COCHRAN,
PETE V. DOMENICI,
ARLEN SPECTER,
DON NICKLES,
Managers on the Part of the Senate.

PERSONAL EXPLANATION

Mr. SANTORUM. Mr. Speaker, I was inadvertently added as a cosponsor to House Joint Resolution 503, the National Military Families Recognition Day. I have spoken about this with the bill's sponsor, Representative MIKE ESPY, and would like the RECORD to reflect my desire to have had my name withdrawn as a cosponsor to the legislation.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. SERRANO (at the request of Mr. GEPHARDT) for today on account of official business.

Mr. PAYNE of Virginia (at the request of Mr. GEPHARDT) for today on account of medical reasons.

Mr. BARNARD (at the request of Mr. GEPHARDT) on September 15 and 16 on account of illness.

SPECIAL ORDERS GRANTED

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

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

Mr. SOLOMON, for 15 minutes, today.

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

Mr. TAUZIN, for 5 minutes, today.

Mr. PANETTA, for 5 minutes, today.

Mr. ANNUNZIO, for 5 minutes, today.

Mrs. MINK, for 60 minutes, today.

Mr. HOAGLAND, for 60 minutes each day, on September 17, and October 1 and 2.

Mr. SAVAGE, for 60 minutes, on September 18.

EXTENSION OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

(The following Members (at the request of Mr. DUNCAN) and to include extraneous material:)

Mr. RHODES.

Mr. BROOMFIELD in two instances.

Mr. HOUGHTON.

Mr. ROTH.

Mr. MICHEL.

Mr. STUMP.

Mr. SAXTON.

Mr. EMERSON.

Mr. BLILEY.

Mr. DREIER of California.

Mrs. MORELLA.

(The following Members (at the request of Mrs. KENNELLY) and to include extraneous material:)

Mr. LANTOS.

Mr. MCMILLEN of Maryland.

Mr. MATSUI.

Mr. TRAXLER in two instances.

Mr. TOWNS.

Mr. FASCELL in two instances.

Mrs. KENNELLY.

Mr. JACOBS.

Mr. FEIGHAN in two instances.

Mr. CLAY.

Mr. CONYERS.

Mr. COLEMAN of Texas.

Mr. SKELTON.

Mr. WILSON.

Mr. HERTEL in two instances.

Mr. BERMAN.

Mr. FALEOMAVAEGA in four instances.

Mr. HUGHES.

Ms. OAKAR.

Mr. LIPINSKI in four instances.

Mr. YATES.

SENATE BILL REFERRED

A bill of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

S. 2099. An act to amend the Immigration and Nationality Act to designate special inquiry officers as immigration judges and to provide for the compensation of such judges, and for other purposes; to the Committee on the Judiciary.

SENATE ENROLLED BILL AND JOINT RESOLUTION SIGNED

The SPEAKER announced his signature to an enrolled bill and joint resolution of the Senate of the following titles:

S. 323. An act to require the Secretary of Health and Human Services to ensure that pregnant women receiving assistance under title X of the Public Health Service Act are provided with information and counseling regarding their pregnancies, and for other purposes.

S.J. Res. 303. Joint resolution to designate October 1992 as "National Breast Cancer Awareness Month."

ADJOURNMENT

Mrs. MINK. Mr. Speaker, pursuant to House Resolution 567, I move that the House do now adjourn in memory of the late Honorable WALTER B. JONES.

The motion was agreed to; accordingly (at 7 o'clock and 11 minutes p.m.) pursuant to House Resolution 567, the House adjourned until tomorrow, Wednesday, September 16, 1992, at 2 p.m., in memory of the late Honorable WALTER B. JONES of North Carolina.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

4248. A communication from the President of the United States, transmitting an amendment to the fiscal year 1993 request for appropriations for the Department of Energy, pursuant to 31 U.S.C. 1107 (No. 102-388); to the Committee on Appropriations and ordered to be printed.

4249. A letter from the Inspector General, Department of State, transmitting a copy of the Department's report, "Special Review of International Organizations' Hiring Practices"; to the Committee on Appropriations.

4250. A letter from the Director, Office of Dependents Schools, transmitting the annual test report for school year 1991-92 for the overseas dependents' schools administered by the Department, pursuant to 20 U.S.C. 924; to the Committee on Education and Labor.

4251. A letter from the Assistant Attorney General, Department of Justice, transmitting the annual report of the Office of Juvenile Justice and Delinquency Prevention for fiscal year 1991, pursuant to 42 U.S.C. 5617; to the Committee on Education and Labor.

4252. A letter from the Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting copies of international agreements, other than treaties, entered into by the United States pursuant to 1 U.S.C. 112b(a); to the Committee on Foreign Affairs.

4253. A letter from the Deputy Associate Director for Collection and Disbursement, Department of the Interior, transmitting notice of proposed refunds of excess royalty payments in OCS areas, pursuant to 43 U.S.C. 1339(b); to the Committee on Interior and Insular Affairs.

4254. A letter from the Chief Justice, Supreme Court of the United States, transmitting notification that the Court will open the October 1992 Term on Monday, October 5, 1992, at 10 a.m.; to the Committee on the Judiciary.

4255. A letter from the Office of Legislative Affairs, Department of Justice, transmitting a draft of proposed legislation to ensure the continuing access of law enforcement to the content of wire and electronic communications when authorized by law, and for other purposes; jointly, to the Committees on the Judiciary and Energy and Commerce.

4256. A letter from the Administrator, Environmental Protection Agency, transmitting a report on the need for tracking systems on vessels transporting municipal or commercial wastes, pursuant to 33 U.S.C. 2621; jointly, to the Committees on Merchant Marine and Fisheries and Public Works and Transportation.

4257. A letter from the Administrator, Federal Aviation Administration, transmitting the report of progress on developing and certifying the Traffic Alert and Collision Avoidance System [TCAS], pursuant to Public Law 100-223, section 203(b) (101 Stat. 1518); jointly, to the Committees on Public Works and Transportation and Science, Space, and Technology.

4258. A letter from the Assistant Secretary (Civil Works), Department of the Army, transmitting a list of wetlands enhancement opportunities associated with the construction and operation of the Army Corps of Engineers projects, pursuant to Public Law 101-640, section 409 (104 Stat. 4648); jointly, to the Committees on Public Works and Transportation, Merchant Marine and Fisheries, and Agriculture.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

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

Mr. BEVILL: Committee of conference. Conference Report on H.R. 5373 (Rep. 102-866). Ordered to be printed.

SUBSEQUENT ACTION ON A REPORTED BILL SEQUENTIALLY REFERRED

Under clause 5 of rule X the following action was taken by the Speaker:

H.R. 918. Referral to the Committee on Merchant Marine and Fisheries extended for a period ending not later than September 16, 1992.

PUBLIC BILLS AND RESOLUTIONS

Under clause 5 of rule X and clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. FRANK of Massachusetts:

H.R. 5935. A bill to amend title 31, United States Code, with respect to the receipt of compensation by executive branch employees for outside speaking, teaching, and writing that relates to official duties, and for other purposes; jointly, to the Committees on Post Office and Civil Service, the Judiciary, and Government Operations.

By Mr. COOPER (for himself, Mr. ANDREWS of Texas, Mr. STENHOLM, Mr. MCCURDY, Mr. GLICKMAN, Mr. CARPER, Mr. CLEMENT, Mr. COX of Illinois, Mr. DOOLEY, Mr. HUBBARD, Mr. LIPINSKI, Mr. MCMILLEN of Maryland, Mr. MONTGOMERY, Mr. PAYNE of Virginia, Mr. PETERSON of Florida, Mr. RAY, and Mr. SWETT):

H.R. 5936. A bill to contain health care costs and improve access to health care through accountable health plans and managed competition, and for other purposes; jointly, to the Committees on Ways and Means, Energy and Commerce, Education and Labor, and the Judiciary.

By Mr. ANDERSON (for himself, Mr. LEVINE of California, Mr. DIXON, Mr. BERMAN, and Mr. ROYBAL):

H.R. 5937. A bill to establish a demonstration program to encourage the full restoration of the Ballona Wetlands, Los Angeles, California, and for other purposes; jointly, to the Committees on Merchant Marine and Fisheries and Public Works and Transportation.

By Mr. DINGELL (for himself, Mr. WAXMAN, Mrs. SCHROEDER, Mrs. LLOYD, Mr. FORD of Michigan, Mr. SIKORSKI, Mr. BRUCE, Mr. ROWLAND, Mr. TOWNS, Mr. STUDDS, Mr. SCHEUER, Mr. WYDEN, Mr. RICHARDSON, Mr. SYNAR, and Mr. BILIRAKIS):

H.R. 5938. A bill to amend to Public Health Service Act to establish the authority for the regulation of mammography services and radiological equipment, and for other purposes; to the Committee on Energy and Commerce.

By Mr. FRANK of Massachusetts:

H.R. 5939. A bill to amend title 31, United States Code, to establish an interest penalty for failure to make prompt payments under service contracts with small business concerns; to the Committee on Government Operations.

By Mr. HOCHBRUECKNER (for himself, Mr. SCHEUER, and Mr. DOWNEY):

H.R. 5940. A bill to provide for the payment of sums in lieu of taxes with respect to certain property seized by the United States; to the Committee on the Judiciary.

By Mr. HUGHES:

H.R. 5941. A bill to designate tributaries of the Maurice River in the State of New Jersey as components of the National Wild and Scenic Rivers System; to the Committee on Interior and Insular Affairs.

By Mr. JACOBS:

H.R. 5942. A bill to amend the Internal Revenue Code of 1986 to permit certain volunteer fire departments to issue tax-exempt bonds for purposes of acquiring ambulances or other emergency response vehicles; to the Committee on Ways and Means.

By Mr. JONES of Georgia:

H.R. 5943. A bill to amend the Internal Revenue Code of 1986 to encourage employers to provide drug and alcohol abuse treatment programs to their employees by providing a credit for the cost of such programs; to the Committee on Ways and Means.

By Mr. KOSTMAYER (for himself, Mr. BOEHLERT, Mr. SIKORSKI, Mr. JONTZ, and Mr. WALSH):

H.R. 5944. A bill to designate certain public lands in the States of Idaho, Montana, Oregon, Washington, and Wyoming as wilderness, wild and scenic rivers, national park and preserve study areas, wild land recovery areas, and biological connecting corridors, and for other purposes; jointly, to the Committees on Interior and Insular Affairs, Merchant Marine and Fisheries, and Agriculture.

By Mr. PANETTA:

H.R. 5945. A bill to provide that a special census be conducted, without charge to a requesting State, county, or other unit of government, if necessary to correct a significant undercount in a decennial census which is due, in whole or in part, to a natural disaster or similar situation; to the Committee on Post Office and Civil Service.

By Mr. REGULA:

H.R. 5946. A bill to amend the National Literacy Act of 1991 to establish in the Department of Labor an Office of Workplace Education to provide workplace education services to small businesses and to provide grants to States to improve the productivity of those businesses; to the Committee on Education and Labor.

By Mr. RHODES (for himself and Mr. STUMP):

H.R. 5947. A bill amending the Metric Conversion Act of 1975 to prohibit the expenditure of Federal funds for highway signs expressed solely in metric system measurements; jointly, to the Committees on Science, Space, and Technology and Public Works and Transportation.

By Mr. STUMP (for himself and Mr. RHODES):

H.R. 5948. A bill to prohibit the expenditure of Federal funds for constructing or modifying highway signs that are expressed only in metric system measurements; to the Committee on Public Works and Transportation.

By Mr. VENTO (for himself, Mr. LAGOMARSINO, Mr. ALLEN, Mr. DAVIS, Mr. HANSEN, Mr. CAMPBELL of Colorado, Mr. ALLARD, and Mr. PANETTA):

H.R. 5949. A bill to amend certain general authorities relating to the National Park System, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. WILSON:

H.R. 5950. A bill to repeal the act entitled "An Act to designate the building located at 1515 Sam Houston Street in Liberty, Texas, as the 'M.P. Daniel and Thomas F. Calhoon, Senior, Post Office Building'", approved May 17, 1990; to the Committee on Post Office and Civil Service.

By Mr. BERMAN (for himself, Mr. LEVINE of California, Mr. KASICH, Mr. OBEY, Mr. GREEN of New York, Mrs. LOWEY of New York, and Mr. MAZZOLI):

H.J. Res. 548. Joint resolution to prohibit the proposed sale to Saudi Arabia of F-15 aircraft; to the Committee on Foreign Affairs.

By Mr. SCHUMER:

H.J. Res. 549. Joint resolution prohibiting the proposed sale of F-15 fighter jets to Saudi Arabia until that country renounces and no longer observes the boycott of Israel by Arab countries; to the Committee on Foreign Affairs.

By Mr. TOWNS:

H.J. Res. 550. Joint resolution designating the week beginning October 18, 1992, as "National Radon Action Week"; to the Committee on Post Office and Civil Service.

By Mr. SOLOMON (for himself, Mr. DREIER of California, and Mr. EMERSON):

H. Res. 565. Resolution to amend the Rules of the House of Representatives to ensure a more orderly, deliberative, and accountable legislative process; to the Committee on Rules.

By Mr. FASCELL:

H. Res. 566. Resolution calling for the United States to host the 1998 Plenipotentiary Conference of the International Telecommunications Union; to the Committee on Foreign Affairs.

By Mr. ROSE:

H. Res. 567. Resolution expressing sorrow of the House at the death of the Honorable Walter B. Jones; considered and agreed to.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII,

Mr. EDWARDS of Texas introduced a bill (H.R. 5951) for the relief of Jung Ja Golden; which was referred to the Committee on the Judiciary

ADDITIONAL SPONSORS

Under clause 4 of rule XXII, sponsors were added to public bills and resolutions as follows:

H.R. 127: Mr. PALLONE.

H.R. 423: Mr. COLEMAN of Texas.

H.R. 682: Mrs. LOWEY of New York.

H.R. 919: Mr. RINALDO.

H.R. 1049: Mr. JEFFERSON.

H.R. 1147: Mr. MCEWEN.

H.R. 1245: Mr. ANTHONY.

H.R. 1502: Mr. UPTON and Mr. HYDE.

H.R. 1541: Mr. CALLAHAN.

H.R. 1726: Mr. FAWELL.

H.R. 1820: Mr. FISH and Mrs. LLOYD.

H.R. 1886: Mr. MILLER of California.

H.R. 2126: Mr. LANCASTER.

H.R. 2349: Mr. ERDREICH.

H.R. 2772: Mr. WILSON, Mr. FORD of Michigan, Mr. MCMILLEN of Maryland, and Mr. RAVENEL.

H.R. 3216: Mr. WYLIE.

H.R. 3769: Mr. COLEMAN of Texas.

H.R. 3915: Mr. CARPER, Mr. GINGRICH, and Mr. SISISKY.

H.R. 3920: Mr. FISH.

H.R. 4124: Mr. MINETA.

H.R. 4141: Mr. FROST and Mr. RINALDO.

H.R. 4427: Mr. SKAGGS and Mrs. MORELLA.

H.R. 4491: Mr. FISH, Mrs. VUCANOVICH, Mr. ZELIFF, Mr. LAGOMARSINO, Mr. ROGERS, Mr. PAXON, Mr. ATKINS, and Mr. MORAN.

H.R. 4498: Mrs. COLLINS of Michigan and Mr. FISH.

H.R. 4595: Mr. FISH.

H.R. 4716: Mr. SISISKY.

H.R. 4725: Mr. PASTOR, Mrs. MINK, Mr. SANDERS, Mr. BEVILL, and Mr. LAGOMARSINO.

H.R. 4754: Mr. BENNETT.

H.R. 4929: Mr. FISH.

H.R. 5028: Mrs. COLLINS of Michigan, Ms. HORN, and Mr. BUSTAMANTE.

H.R. 5106: Mr. BORSKI.

H.R. 5216: Mr. MCCOLLUM, Mr. SMITH of Texas, Mr. WISE, Mr. HYDE, and Mr. DOWNEY.

H.R. 5331: Mr. HUGHES, Mr. ZELIFF, Mr. SABO, Mr. MORRISON, Mr. MURPHY, Mr. FRANK of Massachusetts, and Mr. JOHNSON of South Dakota.

H.R. 5360: Mr. SHAYS and Mrs. SCHROEDER.

H.R. 5374: Mr. TOWNS.

H.R. 5501: Mr. HOBSON, Mr. PAXON, Mr. RITTER, Mr. SKEEN, Mr. SCHAEFER, Mr. GALLEGLY, Mr. SOLOMON, Mr. EWING, and Mr. WELDON.

H.R. 5538: Mrs. LLOYD.

H.R. 5570: Mr. ZELIFF.

H.R. 5600: Mr. KILDEE.

H.R. 5625: Mr. LAGOMARSINO.

H.R. 5681: Mr. FORD of Michigan, Mr. DELLUMS, and Mr. POSHARD.

H.R. 5745: Mr. GOODLING, Mr. HASTERT, Mr. GILLMOR, Mr. CALLAHAN, Mr. LAGOMARSINO, and Mr. VALENTINE.

H.R. 5768: Mr. SKEEN and Mr. KASICH.

H.R. 5773: Mr. DORNAN of California, Mr. EWING, Mr. BALLENGER, Mr. IRELAND, Mr. CAMP, Mr. HANCOCK, Mr. SANTORUM, Mr. OXLEY, and Mr. RAVENEL.

H.R. 5777: Mr. MILLER of California, Mr. CAMPBELL of Colorado, Mr. RHODES, Mr. HORTON, Mr. BEREUTER, and Mr. PETERSON of Minnesota.

H.R. 5792: Mr. MINETA.

H.R. 5798: Mrs. COLLINS of Illinois, Mr. WAXMAN, Mr. SYNAR, Mr. BARNARD, Mr. LANTOS, Mr. WISE, Mr. OWENS of New York, Mr. BUSTAMANTE, Mr. MARTIN, Mr. PAYNE of New Jersey, Mrs. MINK, Mr. THORNTON, Mr. PETERSON of Minnesota, Mr. SANDERS, Mr. ABERCROMBIE, Mr. BLACKWELL, Mr. BOEHLERT, Mrs. COLLINS of Michigan, Mr. DELLUMS, Mr. DE LUGO, Mr. EVANS, Mr. FALEOMAVAEGA, Mr. FOGLIETTA, Mr. FORD of Tennessee, Mr. FORD of Michigan, Mr. FRANK of Massachusetts, Mr. JEFFERSON, Mr. LIPINSKI, Mr. MAZZOLI, Mr. MFUME, Ms. NORTON, Mr. NOWAK, Mr. OLVER, Mr. PASTOR, Mr. SERRANO, Mr. SAWYER, Mr. STAGGERS, Ms. WATERS, and Mr. WHEAT.

H.R. 5800: Mr. SCHULZE.

H.R. 5812: Mr. TOWNS and Mr. LANCASTER.

H.R. 5832: Mr. EDWARDS of California, Mr. ROYBAL, Mr. HOCHBRUECKNER, Mr. LANCASTER, Mr. KENNEDY, and Mr. BILBRAY.

H.R. 5862: Mr. LENT, Mr. ANNUNZIO, Mr. BRYANT, Mr. COYNE, Mr. STARK, Mr. VANDER JAGT, Mr. WALSH, Mr. WELDON, Mr. EVANS, Mr. MCNULTY, Mr. FROST, and Mr. GUARINI.

H.R. 5863: Ms. MOLINARI.

H.R. 5887: Mr. OWENS of New York.

H.J. Res. 152: Mr. KENNEDY, Mr. TALLON, Mr. LEWIS of Georgia, Mr. JEFFERSON, Mr. ROBERTS, Mr. GILMAN, and Mr. SHUSTER.

H.J. Res. 238: Mr. DORGAN of North Dakota, Mr. ATKINS, Mr. FRANKS of Connecticut, Mr. KLECZKA, Mr. PALLONE, Mr. LEVINE of California, Mr. HERTEL, Mr. RHODES, Mr. SLATTERY, Mr. YOUNG of Florida, Mr. KLUG, and Mr. WHEAT.

H.J. Res. 325: Mr. DEFAZIO, Ms. NORTON, Mr. MFUME, Mr. SANGMEISTER, Mr. WYDEN, Mr. SERRANO, and Mr. MARKEY.

H.J. Res. 399: Mr. GUARINI, Mr. RAY, Mr. TRAFICANT, and Mr. SCHEUER.

H.J. Res. 455: Mr. STOKES, Mr. PETRI, Mr. STUMP, and Mr. GILLMOR.

H.J. Res. 461: Mr. FOGLIETTA, Mr. ABERCROMBIE, and Mr. BORSKI.

H.J. Res. 467: Mr. BAKER, Mr. BEILENSON, Mr. CHANDLER, Mr. DELLUMS, Mr. FAZIO, Mr. FORD of Tennessee, Mr. GALLO, Mr. GOODLING, Mr. JONES of Georgia, Mr. MFUME, Mr. SAVAGE, Mr. SHAYS, Mr. STALLINGS, Mr. VENTO, Mr. WILSON, Mr. WISE, Mr. HOYER, Mr. SPRATT, and Mr. EWING.

H.J. Res. 476: Mr. LUKEN, Mr. GOODLING, Mr. KILDEE, Mr. EWING, Mr. STUMP, Mr. PARKER, Mr. YATES, Mr. DORNAN of California, Mr. FASCELL, Mr. ROBERTS, Mr. HENRY, Mr. GILCHREST, Mr. GALLEGLY, Mr. GINGRICH, Mr. PICKETT, Mr. HEFNER, Mr. HANSEN, Mr. KOSTMAYER, Mr. BENNETT; Mrs. MEYERS of Kansas, Mr. MURTHA, Mr. CONYERS, Mr. TORRES, Mr. GEKAS, and Mr. BOUCHER.

H.J. Res. 478: Mrs. KENNELLY, Mr. JENKINS, Mr. HAMILTON, Mr. HOAGLAND, Mr. BLILEY, Mrs. BYRON, Mr. CALLAHAN, Mr. CUNNINGHAM, Mr. DANNEMEYER, Mr. DICKINSON, Mr. DOOLITTLE, Mr. DREIER of California, Mr. EDWARDS of Oklahoma, Mr. FIELDS, Mr. GILLMOR, Mr. GINGRICH, Mr. GLICKMAN, Mr. GONZALEZ, Mr. GOODLING, Mr. GOSS, Mr. HANCOCK, Mr. HANSEN, Mr. HOUGHTON, Mr. KOLBE, Mr. LEWIS of California, Mr. LIGHTFOOT, Mr. LOWERY of California, Mr. MCCANDLESS, Mr. MINETA, Mr. MYERS of Indiana, Mr. PACKARD, Mr. RHODES, Mr. RICHARDSON, Mr. RINALDO, Mr. SCHULZE, Mr. SMITH of Oregon, Mr. THOMAS of California, Mr. VENTO, Mr. WYLIE, Mr. YATRON, Mr. YOUNG of Florida, and Mr. DARDEN.

H.J. Res. 495: Mr. BOUCHER, Mr. TORRICELLI, Mr. FAZIO, Mrs. MEYERS of Kansas, Mr. BILBRAY, Mr. HUNTER, Mrs. COLLINS of Illinois, Mr. RAY, Mr. FAWELL, Mr. WELDON, and Mr. MILLER of Washington.

H.J. Res. 503: Mrs. BENTLEY, Mr. SANTORUM, Ms. SLAUGHTER, Mr. APPLEGATE, Mr. WELDON, Mr. JOHNSON of South Dakota, Mr. INHOFE, Mr. DE LA GARZA, Mr. JENKINS, Mr. LOWERY of California, Mr. NAGLE, Ms. OAKAR, Mr. HAYES of Louisiana, Mr. KLUG, Mr. SMITH of Florida, Mrs. BOXER, Mr. FORD of Tennessee, Mr. EDWARDS of California, Mr. RAMSTAD, Mr. VALENTINE, Mrs. LLOYD, Mr. TORRES, and Mr. DYMALLY.

H.J. Res. 520: Mr. GILCHREST.

H.J. Res. 523: Mr. BROOMFIELD, Mr. BORSKI, Mr. BURTON of Indiana, Mr. COYNE, Mr. BILIRAKIS, Mr. CLEMENT, Mr. ESPY, Mr. GALLO, Mr. GILCHREST, Mr. GOODLING, Mr. LAGOMARSINO, and Mr. KILDEE.

H.J. Res. 531: Mr. LIPINSKI, Mr. PAYNE of New Jersey, Mr. ACKERMAN, Ms. NORTON, Mr. MCCLOSKEY, Mr. MCMILLEN of Maryland, Mr. TALLON, Mr. ESPY, Mr. GILMAN, Mr. ANNUNZIO, Mr. TOWNS, Mr. TORRICELLI, Mr. BERMAN, Mr. LEVIN of Michigan, Mrs. UNSOELD, Mr. DE LUGO, Mr. VENTO, Mr. GUARINI, Mr. SCHUMER, Mr. MAZZOLI, Mr. FALEOMAVAEGA, Mr. PASTOR, Mr. LAGOMARSINO, Mr. LEACH, Mr. LEWIS of California, Mr. MONTGOMERY, Mr. MURPHY, Mr. OBERSTAR, Mr. OLVER, Mr. PERKINS, Mr. SCHEUER, Mr. ROYBAL, Mr. FAWELL, Mr. OWENS of Utah, Mr. BROWN, Mr. FASCELL, Mr. SHAYS, and Mr. ALEXANDER.

H.J. Res. 538: Mr. HOBSON, Mr. PASTOR, Mr. WALSH, Mr. CLAY, Mr. ROYBAL, Mr. GUARINI, Mr. MAZZOLI, Mr. MCCLOSKEY, Mr. RHODES, Mr. HANSEN, Mr. DOWNEY, Mr. BEILENSON, Mr. NATCHER, Mr. FORD of Michigan, Mr. GREEN of New York, Ms. PELOSI, and Mr. SAWYER.

H.J. Res. 543: Mr. BERMAN, Mr. MOORHEAD, Mr. MANTON, Mr. ANDREWS of New Jersey, Mr. BLAZ, Ms. LONG, Mr. NATCHER, Mr. DYMALLY, Mr. MAZZOLI, Mr. SCHAEFER, Mr. VANDER JAGT, Mr. ESPY, Mr. HAMILTON, Mr. STAGGERS, Mr. HAYES of Louisiana, Mr. MYERS of Indiana, Mr. CLEMENT, Mr. CALLAHAN, Mr. HARRIS, Mr. DORNAN of California, Mr. BORSKI, Mr. HOCHBRUECKNER, Mr. GUNDERSON, Mr. COLEMAN of Texas, Mr. CHAPMAN, Mr. MCEWEN, Mr. BLILEY, Mr. MOODY, Mr. NEAL of Massachusetts, Mr. HUTTO, Mr. ORTON, Mr. PAYNE of New Jersey, Mr. QUILLEN, Mr. PETERSON of Florida, Mr. ROEMER, Mr. LEVINE of California, Mr. GORDON, Mr. MCHUGH, Mr. MCMILLEN of Maryland, Mr. MARTINEZ, Mr. HEFNER, Mr. PACKARD, Mr. SHARP, Mr. SCHEUER, Mr. PERKINS, Mr. HANSEN, Mr. OBEY, Mr. PANETTA, Mrs. KENNELLY, Mr. NOWAK, Mr. JOHNSON of South Dakota, Mr. WALSH, Mr. MONTGOMERY, Mr. MURPHY, Mr. SAWYER, Mr. GILCHREST, Mr. GUARINI, Mr. ASPIN, Mr. DWYER of New Jersey, Mr. BREWSTER, Mr. GEREN of Texas, Mr. HUNTER, Mr. ROYBAL, Mr. HUBBARD, Mr. FROST, Mr. KASICH, Mr. TORRES, Mr. RHODES, Mr. HAYES of Illinois, Mr. GILMAN, Mr. HALL of Texas, Mr. LEHMAN of Florida, Mr. MCGRATH, and Mr. COOPER.

H.J. Res. 547: Mr. DWYER of New Jersey, Mr. FEIGHAN, Mr. MARTINEZ, Mr. MONTGOMERY, Mr. LAGOMARSINO, Mr. WYLIE, Mr. OWENS of Utah, Mr. MOORHEAD, Mr. MFUME, Mr. MATSUI, Mr. NEAL of Massachusetts, Mr. RAVENEL, Mr. RAY, Mr. RIGGS, Mr. ROE, Mr.

OBERSTAR, Mr. BALLENGER, Mr. MCEWEN, Ms. PELOSI, Mr. JEFFERSON, Mr. TAUZIN, Mr. TRAFICANT, Mr. TALLON, Mr. LANTOS, Mr. LEVINE of California, Mr. ANDREWS of Maine, Ms. OAKAR, Mr. ABERCROMBIE, Mr. MORAN, Mr. PRICE, Mr. ROYBAL, Mr. NATCHER, Mr. PASTOR, Mr. WALSH, Mr. PICKETT, Mrs. BYRON, Mr. LEWIS of Georgia, Mrs. MYERS of Kansas, Mr. SAVAGE, Mr. TAYLOR of North Carolina, and Mr. SHAYS.

H. Con. Res. 11: Mr. YOUNG of Alaska.

H. Con. Res. 334: Mr. HOCHBRUECKNER, Mr. PORTER, Mr. HORTON, Mr. HUGHES, and Mr. SHAYS.

H. Con. Res. 358: Mr. BOUCHER.

H. Res. 204: Mr. SUNDQUIST.

H. Res. 515: Mr. PETERSON of Florida, Mr. SCHUMER, Mr. WOLPE, Mr. STARK, Mr. MATSUI, and Mr. COLEMAN of Texas.

H. Res. 538: Mr. RITTER, Mr. MILLER of Washington, Mr. SAXTON, Mr. TORRICELLI, Mr. LEVINE of California, Mr. MARTINEZ, Mr. APPLEGATE, Mr. LEVIN of Michigan, Mr. SISISKY, Mr. SCHUMER, Mr. KASICH, Mr. FAWELL, Mr. HUGHES, and Mr. BUSTAMANTE.